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Wilderness Act

PUBLIC LAW 88-577
88th CONGRESS, 2nd SESSION
78 STAT. 890

Compiled by:
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LAW BRANCH

August 7, 1964 -House insisted on its amendments and agreed to a conference; conferees appointed. (110 Congressional Record 18612)

August 20, 1964 -Conference report submitted and agreed to in House and Senate. House Report 88-1829. (110 Congressional Record 20601, 20626)

August 21, 1964 -Examined and signed. (110 Congressional Record 20812, 20926)

August 31, 1964 -Presented to the President. (110 Congressional Record 21048)

September 14, 1964 -Approved September 3, 1964. Public Law 88-577. (110 Congressional Record 22024)

Hearings (MICROFICHE) -Senate-February 28 thru March 1, 1963
-House-January 9 thru May 1, 1964

Related Legislation

H.R.9070 - To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

November 7, 1963 -Introduced in House by Mr. Saylor. Referred to the Committe on Interior and Insular Affairs. (109 Congressional Record 21439)

July 2, 1964 -Reported with amendments. House Report 88-1538. (110 Congressional Record 15982)

July 30, 1964 -Debated, amended, passed House. Proceedings vacated and laid on the table. (S. 4 passed in lieu). (110 Congressional Record 17427)

SEC. 109. No part of the funds provided in this Act shall be used for purchase of land or land easements in excess of 100 per centum of the value as determined by the Corps of Engineers or the Bureau of Yards and Docks, except: (a) where there is a determination of value by a Federal court, (b) purchases negotiated by the Attorney General or his designee, and (c) where the estimated value is less than $25,000.

SEC. 110. None of the funds appropriated in this Act may be used to make payments under contracts for any project in a foreign country unless the Secretary of Defense or his designee, after consultation with the Secretary of the Treasury or his designee, certifies to the Congress that the use, by purchase from the Treasury, of currencies of such country acquired pursuant to law is not feasible for the purpose, stating the reason therefor.

Short title.

SEC. 111. This Act may be cited as the Military Construction Appropriation Act, 1965.

Approved September 2, 1964.

Public Law 88-577

September 3, 1964
[S. 4]

AN ACT

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Wilderness Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

SEC. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel

stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

DEFINITION OF WILDERNESS

(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas within the national forests classified at least 30 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

Classification.

(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or nonsuitability for preservation as wilderness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as "primitive" within three years after the enactment of this Act, not less than two-thirds within seven years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as "wilderness" shall become

Presidential recommendation to Congress.

Congressional approval.

effective only if so provided by an Act of Congress. Areas classified as "primitive" on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise. Any such area may be increased in size by the President at the time he submits his recommendations to the Congress by not more than five thousand acres with no more than one thousand two hundred and eighty acres of such increase in any one compact unit; if it is proposed to increase the size of any such area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit the increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value. Notwithstanding any other provisions of this Act, the Secretary of Agriculture may complete his review and delete such area as may be necessary, but not to exceed seven thousand acres, from the southern tip of the Gore Range-Eagles Nest Primitive Area, Colorado, if the Secretary determines that such action is in the public interest.

Report to President.

(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review every roadless area of five thousand contiguous acres or more in the national parks, monuments and other units of the national park system and every such area of, and every roadless island within, the national wildlife refuges and game ranges, under his jurisdiction on the effective date of this Act and shall report to the President his recommendation as to the suitability or nonsuitability of each such area or island for preservation as wilderness. The President shall advise the President of the Senate and the Speaker of the House of Representatives of his recommendation with respect to the designation as wilderness of each such area or island on which review has been completed, together with a map thereof and a definition of its boundaries. Such advice shall be given with respect to not less than one-third of the areas and islands to be reviewed under this subsection within three years after enactment of this Act, not less than two-thirds within seven years of enactment of this Act, and the remainder within ten years of enactment of this Act. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be construed to lessen the present statutory authority of the Secretary of the Interior with respect to the maintenance of roadless areas within units of the national park system.

Presidential recommendation to Congress.

Congressional approval.

Suitability.

(d) (1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

Publication in Federal Register.

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

Hearings.

Publication in Federal Register.

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

Proposed modification.

(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (d) of this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective only in the same manner as provided for in subsections (b) and (c) of this section.

USE OF WILDERNESS AREAS

SEC. 4. (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

16 USC 475.
16 USC 528-531.

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thye-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

16 USC 577-577b.
16 USC 577c-577h.
16 USC 577d-1, 577g-1, 577h.

(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

39 Stat. 535.
16 USC 1 *et seq.*
41 Stat. 1063.

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as other-

wise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

Mineral leases, claims, etc.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1983, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as "wilderness areas"; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits

within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: *Provided*, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1983, except for the valid claims existing on or before December 31, 1983. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1984, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

Water resources.

(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

(5) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

(6) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(7) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

88TH CONGRESS
1ST SESSION

S. 4

IN THE SENATE OF THE UNITED STATES

JANUARY 14 (legislative day, JANUARY 9), 1963

Mr. ANDERSON (for himself, Mr. KUCHEL, Mr. HUMPHREY, Mr. JACKSON, Mr. CHURCH, Mr. LAUSCHE, Mr. DOUGLAS, Mr. WILLIAMS of New Jersey, Mr. RANDOLPH, Mr. CLARK, Mr. PROXMIRE, Mrs. NEUBERGER, Mr. METCALF, Mr. MCGOVERN, Mr. BREWSTER, Mr. YARBOROUGH, Mr. LONG of Missouri, Mr. MUNDT, Mr. NELSON, Mr. HART, Mr. MORSE, and Mr. KEATING) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

88TH CONGRESS
1ST SESSION
S. 3
A BILL

WILDERNESS SYSTEM ESTABLISHED

STATEMENT OF POLICY

SEC. 2. (a) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States and its possessions except those that are designated for preservation and protection in their natural condition. It is accordingly declared to be the policy of the Congress of the United States to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas in the United States and its possessions to be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

DEFINITION OF WILDERNESS

(b) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a

visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's works substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM

EXTENT OF SYSTEM

SEC. 3. (a) The National Wilderness Preservation System (hereafter referred to in this Act as the wilderness system) shall comprise (subject to existing private rights) such federally owned areas as are established as part of such system under the provisions of this Act.

NATIONAL FOREST AREAS

(b) (1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the

Forest Service as wilderness, wild, primitive, or canoe: *Provided*, That the areas classified as primitive shall be subject to review as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review, in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the continued inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided*, That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be continued in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value: *Provided further*, That following such exclusions and additions any primitive area recommended to

be continued in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the continued inclusion in the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided*, That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a part of the wilderness system and shall be administered as other national forest lands: *And provided further*, That, primitive areas with respect to which recommendations are submitted to Congress on the eighth, ninth, and tenth years of the review period herein provided shall retain their status as a part of the wilderness system until the expiration, in respect to each area, of a full session of Congress, two years for resubmission of revised recommendations to Congress by the President, and, if so resubmitted, until the expiration of a full session of Congress thereafter. Recommendations on all primitive areas not previously submitted to the Congress shall be made during the tenth year of the review period. Any primitive area, or portion thereof, on which a recommendation for continued inclusion in the wilderness system has not become

effective within fourteen years following the enactment of this Act shall cease to be a part of the wilderness system and shall be administered as other national forest land.

(2) The purposes of this Act are hereby declared to be within and supplemental to but not in interference with the purposes for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple Use-Sustained Yield Act of June 12, 1960, Public Law 86–517 (74 Stat. 215).

NATIONAL PARK SYSTEM AREAS

(c) (1) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, each portion of each park, monument, or other unit in the national park system which on the effective date of this Act embraces a continuous area of five thousand acres or more without roads. Within ten years after the effective date of this Act the Secretary of the Interior shall review the units of the national park system and shall report his recommendations for the incorporation of each such portion into the wilderness system to the President. Before the convening of Congress each year, the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the incorporation into the wilderness system of each such portion for which review has been completed in the preceding year,

together with maps and definitions of boundaries. The recommendation of the President with respect to each such portion shall become effective subject to the provisions of subsection (f) of this section.

(2) The Secretary of the Interior shall include, as part of his recommendations to the President under the provisions of this subsection, a description of the parts of each park, monument, or other unit submitted which should be reserved for roads, motor trails, buildings, accommodations for visitors, and administrative installations. Such parts shall be determined in accordance with the procedures for rulemaking under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), except that the public notice required under such section shall be at least ninety days prior to the determination proceedings. No designation of an area for roads, motor trails, buildings, accommodations for visitors, or administrative installations shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (39 Stat. 535; 16 U.S.C. 1 and following). The accommodations and installations in such designated areas shall be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural condition. Further, the inclu-

sion of any area of any park, monument, or other unit of the national park system within the wilderness system pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such area in accordance with such Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 and following); section 3(2) of the Federal Power Act (16 U.S.C., sec. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C., sec. 461 and following).

NATIONAL WILDLIFE REFUGES AND GAME RANGES

(d) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, such portions of the wildlife refuges and game ranges established prior to the effective date of this Act under the jurisdiction of the Secretary of the Interior as he may recommend for such incorporation to the President within ten years following the effective date of this Act. Before the convening of Congress each year the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the incorporation into the wilderness system of each area recommended for such incorporation by the Sec-

retary of the Interior during the preceding year, together with maps and definitions of boundaries. The recommendation of the President with respect to each area shall become effective subject to the provisions of subsection (f) of this section.

MODIFICATION OF BOUNDARIES

(e) Any proposed minor modification or adjustment of boundaries of any portion of the wilderness system established in accordance with this Act shall be made by the appropriate Secretary after public notice of such proposal by publication in a newspaper having general circulation in the vicinity of such boundaries and public hearing to be held in such vicinity not less than ninety days after such notice if there is sufficient demand during such ninety days for such hearing. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective subject to the provisions of subsection (f) of this section.

EFFECTIVE DATE OF PRESIDENT'S RECOMMENDATIONS

(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect

upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment neither the Senate nor the House of Representatives shall have approved a resolution declaring itself opposed to such recommendation: *Provided*, That in the case of a recommendation covering two or more separate areas, such resolution of opposition may be limited to one or more of the areas covered, in which event the balance of the recommendation shall take effect as before provided: *Provided further*, That where a resolution of opposition to any such recommendation has been introduced, a hearing thereon shall be held within thirty days by the committee to which such resolution has been referred. Any such resolution shall be subject to the procedures provided under the provisions of sections 203 through 206 of the Reorganization Act of 1949 (5 U.S.C., secs. 133z-12—133z-15) for a resolution of either House of Congress.

EFFECT OF PUBLIC NOTICE OF PROPOSED ADDITION TO WILDERNESS SYSTEM

(g) Public notice when given by either the Secretary of the Interior or the Secretary of Agriculture that any area is to be proposed under the provisions of this Act for incorporation as part of the wilderness system shall segregate

such area from any or all appropriation under the public land laws to the extent deemed necessary by such Secretary. Such segregation shall terminate (1) upon rejection of such proposal by the President, (2) upon approval by the Senate or the House of Representatives of a resolution opposing the incorporation of such area in the wilderness system, or (3) five years after the date of such notice if the proposal to incorporate such area as part of the wilderness system has not been submitted to both Houses of Congress prior to the expiration of such five years.

ADDITION OR ELIMINATION NOT PROVIDED FOR IN THIS ACT

(h) The addition of any area to, or the elimination of any area from, the wilderness system which is not specifically provided for under the provisions of this Act shall be made only after specific affirmative authorization by law for such addition or elimination.

ADDITIONAL REQUIREMENTS WITH RESPECT TO RECOMMENDATIONS

(i) (1) The Secretary of Agriculture and the Secretary of the Interior shall each, in submitting any recommendations to the President with respect to any area's retention in or incorporation into the wilderness system, include with such recommendations the independent views of the Governor of the State in which such area is located with respect to the Secretary's recommendations generally, unless no reply is

received from such Governor within ninety days after such recommendations are submitted to him and his views thereon requested.

(2) Views submitted to the President under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to Congress with respect to such area.

STATE LANDS SURROUNDED BY WILDERNESS SYSTEM

(j) In any case where State-owned land is completely surrounded by lands incorporated into the wilderness system such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unappropriated and unreserved land in the same State, not exceeding the value of the surrounded land, in exchange for the surrounded land.

ACQUISITION OF CERTAIN PRIVATELY OWNED LANDS WITHIN THE WILDERNESS SYSTEM

SEC. 4. The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire as part of the wilderness system any privately owned land within any portion of such system under his jurisdiction, subject to the approval of any necessary appropriations by the Congress.

GIFTS OR BEQUESTS OF LAND

SEC. 5. The Secretary of Agriculture and the Secretary of the Interior may each accept gifts or bequests of land for preservation as wilderness, and such land shall on acceptance become part of the wilderness system. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

USE OF THE WILDERNESS

OTHER PROVISIONS OF LAW

SEC. 6. (a) Nothing in this Act shall be interpreted as interfering with the purposes stated in the establishment of, or pertaining to, any park, monument, or other unit of the national park system, or any national forest, wildlife refuge, game range, or other area involved, except that any agency administering any area within the wilderness system shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character. Except as otherwise provided in this Act, the wilderness system shall be devoted to the public purposes of recrea-

tional, scenic, scientific, educational, conservation, and historical use. Subject to the provisions of this Act, all such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

PROHIBITION OF CERTAIN USES

(b) Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within the wilderness system, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such areas.

SPECIAL PROVISIONS

(c) The following special provisions are hereby made:

(1) Within the wilderness system the use of aircraft or motorboats where these practices have already become well established may be permitted to continue subject to such restrictions as the appropriate Secretary deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the appropriate Secretary deems desirable.

(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including but not limited to exploration for oil and gas), mining (including but not limited to the production of oil and gas), and the establishment and maintenance of reservoirs, water-conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (B) the grazing of livestock, where well established prior to the effective date of this Act with respect to areas established as part of the wilderness system by this Act, or prior to the date of public notice thereof with respect to any area to be recommended for incorporation in the wilderness system, shall be permitted to continue subject to such restrictions and regulations as are deemed necessary by the Secretary having jurisdiction over such area.

(3) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou roadless areas in the Superior

National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats. Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act, Public Law 539, Seventy-first Congress, July 10, 1930 (46 Stat. 1020), the Thye-Blatnik Act, Public Law 733, Eightieth Congress, June 22, 1948 (62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act, Public Law 607, Eighty-fourth Congress, June 22, 1956 (70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture. Modifications of the Boundary Waters Canoe Area within the Superior National Forest shall be accomplished in the manner provided in section 3(e).

(4) Commercial services may be performed within the wilderness system to the extent necessary for activities which are proper for realizing the recreational or other purposes of the system as established in this Act.

(5) Any existing use or form of appropriation authorized or provided for in the Executive order or legislation

establishing any national wildlife refuge or game range existing on the effective date of this Act may be continued under such authorization or provision.

(6) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(7) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

(8) Nothing in this Act shall be construed to prevent, within national forest and public domain areas included in the wilderness system, any activity, including prospecting, for the purpose of gathering information about mineral or water resources or to prevent the completely subsurface use of such areas, if such activity or subsurface use is carried on, in a manner which is not incompatible with the preservation of the wilderness environment.

RECORDS AND REPORTS

SEC. 7. The Secretary of the Interior and the Secretary of Agriculture shall each maintain available to the public, records of portions of the wilderness system under his jurisdiction, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding, pending additions, eliminations, or modifications. Within a year following the

establishment of any area within the national forests as a part of the wilderness system, the Secretary of Agriculture shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made with the approval of such committees. Within a year following the establishment of any area in the national park system or in a wildlife refuge or range as a part of the wilderness system, the Secretary of the Interior shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives. Clerical and typographical errors in such legal descriptions and maps may be corrected with the approval of such committees. Copies of maps and legal descriptions of all areas of the wilderness system within their respective jurisdictions shall be kept available for public inspection in the offices of regional foresters, national forest supervisors, forest rangers, offices of the units of the national park system, wildlife refuge, or range.

CONTRIBUTIONS AND GIFTS

SEC. 8. The Secretary of the Interior and the Secretary of Agriculture are each authorized to accept private con-

tributions and gifts to be used to further the purposes of this Act. Any such contributions or gifts shall, for purposes of Federal income, estate, and gift taxes, be considered a contribution or gift to or for the use of the United States for an exclusively public purpose, and may be deducted as such under the provisions of the Internal Revenue Code of 1954, subject to all applicable limitations and restrictions contained therein.

LAND USE COMMISSIONS

SEC. 9. With respect to any State having more than 90 per centum of its total land area owned by the Federal Government on January 1, 1961, there shall be established for each such State a Presidential Land Use Commission (hereinafter called the Commission). The Commission shall be composed of five persons appointed by the President, not more than three of whom shall be members of the same political party, and at least three of whom shall be residents of the State concerned. The Commission shall advise and consult with the Secretary of the Interior and the Secretary of Agriculture on the current utilization of federally owned land in such State and shall make recommendations to the appropriate Secretary as to how the federally owned land can best be utilized, developed, protected, and preserved. Any recommendations made to the President by the Secretary of Interior or the Secretary of Agriculture and any

recommendations made to the Congress by the President pursuant to the provisions of this Act shall be accompanied by the recommendations and reports made with respect thereto by the Commission.

SEC. 10. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

SEC. 11. Nothing in this Act shall be construed as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act (16 U.S.C. 792–825r).

88TH CONGRESS
1ST SESSION

S. 4

A BILL

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

By Mr. ANDERSON, Mr. KUCHEL, Mr. HUMPHREY, Mr. JACKSON, Mr. CHURCH, Mr. LAUSCHE, Mr. DOUGLAS, Mr. WILLIAMS of New Jersey, Mr. RANDOLPH, Mr. CLARK, Mr. PROXMIRE, Mrs. NEUBERGER, Mr. METCALF, Mr. MCGOVERN, Mr. BREWSTER, Mr. YARBOROUGH, Mr. LONG of Missouri, Mr. MUNDT, Mr. NELSON, Mr. HART, Mr. MORSE, and Mr. KEATING

JANUARY 14 (legislative day, JANUARY 9), 1963
Read twice and referred to the Committee on Interior and Insular Affairs

States, again under the able leadership of Judge Prettyman. This conference has just issued its final report which details a number of significant recommendations, many of which would require congressional action.

The subcommittee has held a number of hearings on the suggestions and recommendations which have been made to it for legislation. It has also conferred at length with representatives of various bar associations and agencies and departments of the Government to determine the effect of these recommendations on the administrative process.

As a result of this study by the subcommittee, S. 1734 was introduced by Senator Carroll and Senator Hart, both members of the subcommittee, and Senator Long of Missouri. The purpose of the bill was to provide a practicable method of attacking the huge—almost notorious—backlogs which exist in the dockets of the independent agencies and executive departments which are responsible for carrying out the regulatory laws passed by Congress. On June 13, 1962, Senator Dirksen and Senator Carroll also introduced S. 3410 which was broader in scope than S. 1734 and constituted an overall revision, by amendment, of the Administrative Procedure Act. The bill provided for increased public information with respect to agency actions and for greater attention by the agencies to the establishment of policy as a guideline for the public. It also provided for improved hearing and review procedures and for the creation of a form of permanent administrative conference.

The problems involved in legislation concerning the administrative process are of great scope because they include not only the Big Six regulatory agencies but all the myriad of administrative agencies within and without the executive branch. The functions of these agencies range from milk price orders to the award of airline routes and radio stations. In the processing of thousands upon thousands of cases these administrative agencies deal directly with a day-to-day relationship of the individual to his government. The subcommittee has, therefore, concentrated its attention on the problems of delegation of the workload and decisional authority within agencies, the development by the agencies of adequate standards to govern decisions, the public availability of information about the activities of the agencies, and the improvement of the adjudicatory and rulemaking processes.

The subcommittee also feels it can take a great deal of pride in its role in the enactment of Public Law 87–748, commonly referred to as the venue bill, on October 5, 1962. While not accompanied by fanfare, its passage marks a significant step in obtaining judicial review of administrative decisions by—

1. Granting district courts outside of the District of Columbia authority to entertain actions in the nature of mandamus.
2. Broadening venue provisions in actions against Government officials, employees, and agencies.
3. Surmounting the necessity of coming to Washington to sue an indispensable superior officer in an action brought outside the District of Columbia against local officials or employees of the U.S. Government.

The subcommittee also conducted a survey of actions taken by the agencies to improve their procedures and has received a number of agency replies which are in the subcommittee files.

O

88TH CONGRESS, 1st Session } SENATE { REPORT No. 109

ESTABLISHING A NATIONAL WILDERNESS PRESERVATION SYSTEM FOR THE PERMANENT GOOD OF THE WHOLE PEOPLE, AND FOR OTHER PURPOSES

APRIL 3, 1963.—Ordered to be printed

Mr. CHURCH (for Mr. ANDERSON), from the Committee on Interior and Insular Affairs, submitted the following

together with

MINORITY VIEWS

REPORT

[To accompany S. 4]

The Committee on Interior and Insular Affairs, to whom was referred the bill S. 4, to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, having considered same, report favorably thereon with amendments and recommend that the measure, as amended, do pass.

PURPOSES OF THE BILL

S. 4, as introduced, was identical to S. 174 passed by the Senate on September 6, 1961, except for a change in the designation of "forest superintendent" to "forest supervisor."

The measure establishes a National Wilderness Preservation System composed of areas already set aside in national park system units, national forests, and as game and wildlife refuges or ranges for special uses compatible with wilderness preservation. As parts of the Wilderness Preservation System, they would be preserved in their primitive condition, as nearly as possible devoid of the works of man, unless Congress or the President of the United States determined that other use of some portion is in greater public interest.

No cost is involved since all of the areas are Federal lands, all areas are to continue to be administered by the agency presently in control of them, and no new bureau or agency is involved. There is simply prescribed by statute, standards, and criteria for the management of the areas placed in the wilderness system to assure their

protection as natural sites for the cultural, inspirational, recreational, and scientific values which only such areas can provide.

The committee's report on S. 174, which was Report No. 635 of the 87th Congress filed July 27, 1961, is applicable to S. 4.

As reported at that time, the Wilderness Preservation System can be established without affecting the economic arrangements of communities, counties, States or business enterprises since the areas are already withdrawn, or because existing private rights and established uses are permitted to continue. There will be no withdrawal of lands from the tax base of counties or communities; no withdrawal of timberlands on which lumbering operations depend, nor any withdrawal of present grazing or mining rights.

The values of wilderness—recreational, scenic, scientific, educational, historic and cultural—discussed in the earlier report become progressively more important as time elapses and population occupies other land areas and presses toward the remaining wilderness

The opportunity for the Government of the United States still remains to make provision now, without cost, to meet a considerable share of present and future needs for a major class of recreational facilities, and to set aside great outdoor "museums" of tremendous scientific value.

Since the 1961 report was written, the urgency of providing for the preservation of wilderness areas has been reemphasized by the report of the Outdoor Recreation Resources Review Commission. The Commission was a bipartisan group composed of eight Members of Congress, equally divided between the political parties and the House and Senate, and of seven distinguished citizen members appointed by President Dwight D. Eisenhower and continued as Commissioners by President John F. Kennedy.

The Commission and its Advisory Council included representatives not only of Government and conservation groups, but also of business enterprises concerned with availability of Federal lands for the commercial exploitation of their resources. Opportunity was afforded for all of the members to weigh conflicting demands and needs for land and related resources and to reach conclusions based on extensive studies of the resources involved, recreational demands and needs—all the facts available and obtainable through research.

The Commission prefaced its recommendations with the following comment:

> After 3 years of research, and an aggregate of some 50 days of discussion among the Commissioners, the Commission has developed specific recommendations for a recreation program. The 15 members brought differing political, social and resource-use opinions to the meeting table, and proposed recommendations were put through the test of this range of opinions. During the course of the study and discussion, views of individual members developed, and the collective opinion crystallized.
>
> The final recommendations are a consensus of the Commission.

Pursuant to that explanation, the Commission, in its January 1962 report to the President and the Congress, said in respect to wilderness:

> Recommendation 8 6: Congress should enact legislation providing for the establishment and management of certain primitive areas (class V) as "wilderness areas."
>
> Primitive areas satisfy a deep-seated human need occasionally to get far away from the works of man. Prompt and effective action to preserve their unique inspirational, scientific, and cultural values on an adequate scale is essential, since once destroyed they can never be restored.
>
> Portions of national forests, parks, monuments, wildlife refuges, game ranges, and the unreserved public domain meet the basic criteria of primitive areas. The natural environment has been undisturbed by commercial utilization, and they are without roads. Some of these areas are managed for the purposes of wilderness preservation under broad statutory authority. Certain class V areas of more than 100,000 acres in national forests have already been set aside by the Secretary of Agriculture as "wilderness areas." Others between 5,000 and 100,000 acres have been set aside by the Chief of the Forest Service as "wild areas."
>
> There is widespread feeling, which the Commission shares, that the Congress should take action to assure the permanent reservation of these and similar suitable areas in national forests, national parks, wildlife refuges, and other lands in Federal ownership. The objective in the management of all class V areas, irrespective of size or ownership, is the same to preserve primitive conditions. The purpose of legislation to designate outstanding areas in this class in Federal ownership as "wilderness areas" is to give the increased assurance of attaining this objective that action by the Congress will provide.

CONTINUATION OF PRESENT JURISDICTION

It should be emphasized that while implementation of the classification system may result in some changes in management policies and practices, it need not result in changes of present jurisdictional responsibilities among Federal agencies. The agency charged with the administration of a unit of land would continue, in accordance with the governing legislation, to perform whatever management functions are appropriate to the various recreation classes identified. Thus, when the Forest Service classified a certain portion of a national forest as a unique natural area (class IV), it would remain under the control of the Forest Service, even though managed according to the same standards as a comparable area in a national park or monument. This concept is incorporated in pending legislation which provides that wilderness areas will be managed by different Federal bureaus.

Thus the report for which the committee and the Senate were urged to delay a year ago, in the passage quoted above and at other places, sustained the need for preservation of wilderness areas on Government lands already restricted in use, and approved policies and particulars embodied in S. 4.

THE ISSUE NARROWED

A second development since the previous report was filed is increased understanding and agreement that S. 4 does not "sterilize," "quarantine," nor "lock up" a vast new 60-million acre area of Federal lands, but involves lands previously restricted in use by laws creating our national parks, by establishment as wildlife areas, or by national forest classification.

Dr. James Boyd, appearing for the American Mining Congress, conceded that large portions of the areas involved in S. 4 had long been removed from the reach of mining by acts of Congress establishing them as national parks.

At page 219 of the hearings, during Dr. Boyd's presentation of a map of "lands subject to withdrawal under S. 4," the following colloquy occurred:

> Senator ANDERSON. May I stop you there, Dr. Boyd? The red area on this map seems to include Yellowstone Park.
>
> Mr. BOYD. Yes, sir, it does.
>
> Senator ANDERSON. You say in your testimony and this document that I did not want to put in the record, but that we are going to put in, that this bill sterilizes the mining in Yellowstone Park.
>
> Mr. BOYD. It is already sterilized.
>
> * * * * * *
>
> Senator ANDERSON. * * * Glacier National Park up toward the top is shown in red.
>
> Mr. BOYD. Yes, sir.
>
> Senator ANDERSON. Does this bill take out 1 acre of that land?
>
> Mr. BOYD. No, sir.
>
> Senator ANDERSON. Does the bill take out 1 acre of Yosemite or was that done previously?
>
> Mr. BOYD. It was done previously.

Mr. H. R. Glascock, of Western Forestry and Conservation Association, testified that with the exception of two small inadvertent instances, there had been no timbering in the past in the proposed national forest wilderness areas, which have long been withdrawn from cutting. Mr. Glascock agreed that the new Anaconda-Pintlar and Selway-Bitterroot Wilderness Areas, recently reclassified by the Forest Service from "primitive" status to "wilderness" status, should go on into the Wilderness Preservation System with other "wild," "wilderness" and the Minnesota "canoe" area under S. 4. His testimony appears at page 190 of the printed hearing, as follows:

> Senator METCALF. I want to know how you feel about the two new wilderness areas that were created, the Anaconda-Pintlar area and the Selway-Bitterroot area? You would feel that they, too, are in the category of those that should be and set aside and should go in the wilderness system?
>
> Mr. GLASCOCK. Yes, sir. We make no exceptions to that statement which I gave Chairman Anderson.

Mr. John Barnard, Jr., of Denver, Colo., who has followed and participated as a consultant in consideration of the bill in past years, testifying for Gov. John A. Love, of Colorado, agreed that

> * * * what we address ourselves to principally, the issue has narrowed itself principally to the primitive areas in the national forests.

The primitive areas now contain only 6.1 million acres.

Mr. Barnard's testimony in this respect, at pages 144–145 of the hearings, was:

> Senator METCALF. So, largely the difference is how to handle the primitive areas of around an additional 6 million acres?
>
> Mr. BARNARD. Yes.
>
> Senator METCALF. And, of course, game refuge and wildlife refuges are a little different category than the national forests or national parks.
>
> Mr. BARNARD. Yes. And, of course, it has long been my position, and I don't think this is again one of the important points of the bill because the actual practical effects are not too great, but it has long been my position that when lands have been set aside for a specific purpose, the fact that that purpose is not incompatible with wilderness does not justify another act setting it aside for that purpose, and I think the same is true of national parks. While the national parks are zoned, so to speak, for certain areas that are involved for mass recreation, certain areas that are to be retained as wilderness, in effect, this has been done, there is plenty of authority under the National Park Act. There has never been any serious difficulty with interfering with the Park Service and its administration. I could not and I still cannot see the logic behind including those areas within another system called the wilderness system.
>
> But what we address ourselves to principally, the issue has narrowed itself principally to the primitive areas in the national forests.

As indicated in the report on S. 174 in the 87th Congress, there has been no disagreement that the carefully reviewed "wild," "wilderness," and the "canoe" areas in the forests should be allowed to become part of the Wilderness Preservation System by the enactment of the Wilderness Act.

When the previous report was filed, the two primitive areas mentioned and La Garita Primitive Area in Colorado of approximately 49,000 acres were under review by the Forest Service and have since been reclassified on recommendation of the Forest Service and by order of the Secretary of Agriculture.

As a consequence of their reclassification, which involved removal of approximately 450,000 acres from classification and its restoration to regular, multiple-use management, the following changes in status

of the national forest lands involved in the wilderness legislation has occurred since the committee's report of July 1961, on S. 174:

Kind of area within national forests	1961		1963	
	Number	Acreage	Number	Acreage
Wilderness	14	4,888,173	16	6,285,186
Wild	30	998,234	29	1,047,544
Canoe	1	886,673	1	886,673
Primitive	39	7,890,973	[1] 37	6,098,532
Total		14,664,053		14,318,575

[1] Number decline by 2, instead of 3, since approximately 190,000 acres of Selway-Bitterroot was retained as primitive for future reclassification.

Acreages in wildlife and game refuges and ranges, and in the national park system which would be subject to consideration for inclusion in the Wilderness Preservation System under S. 4 have not changed significantly since the committee's report on S. 174.

San Gorgonio Wild Area

A considerable volume of messages reached the committee during consideration of the bill in respect to opening the San Gorgonio Wild Area in California for the construction of a ski tow.

The Chief of the Forest Service indicated, in his testimony, that the matter is currently under consideration of the Forest Service.

He said:

> * * * we are trying to urge the opponents and the proponents to present a more specific proposal which we hope will be generally agreed upon before opening the matter up.

The committee is gratified that the Forest Service plans to keep the matter under active consideration looking toward the final development of an adequate ski area for recreation purposes to serve the burgeoning population of California.

BACKGROUND

The movement to establish a Wilderness Preservation System in the United States, which will be the first such system in the world, originated in 1948 when Members of Congress asked the Legislative Reference Service, Library of Congress, to study the desirability of a Federal policy and program of wilderness preservation.

The report, prepared by C. Frank Keyser and issued in September 1949, was a compilation of data on wilderness availability, the wilderness preservation policies, and views of many agencies. It reflected a widely held belief that wilderness areas should be preserved for their recreational, scientific, scenic and cultural values, for the benefit of both present and future generations, and that the United States should launch a wilderness preservation program before—as in the world's older countries—it was made impossible by man's exploitation of the Nation's whole land area.

The director of the study wrote:

> * * * With the growing population and utilization of more and more previously unutilized land it is becoming evident that before many years have passed there is danger that the original wilderness which was met and conquered by our forefathers in building our country will have disappeared entirely. It will exist only in the history books. If, then, there is reason for preserving substantial portions of the remaining wilderness it must be decided upon before it is too late.

More than 7 years of study and consideration of the "wilderness problem" elapsed between the issuance of the Library report and the perfection of a wilderness preservation proposal for presentation to Congress. A study bill, S. 4013, was presented late in the 84th Congress, succeeded the following year by S. 1176 of the 85th Congress by Senator Hubert Humphrey, and others. The first hearings were conducted by the Interior and Insular Affairs Committee on June 19 and 20, 1957, under Senator James E. Murray's chairmanship.

In succeeding years S. 4028 of the 85th Congress, S. 1123 of the 86th, and S. 174 of the 87th, which was adopted by the Senate, September 6, 1961, have been presented and made the subject of numerous hearings in Washington and the Western States.

The committee has now assembled 2,825 pages of printed record on the subject, plus thousands of letters, telegrams, petitions, legislative resolutions, statements, and documents. There have been nearly 600 witness appearances.

Few proposals in American legislative history have had more thorough study than S. 4 and its predecessors—study ranging over 15 years since the original request for a report by the Library of Congress.

Numerous provisions of early bills have been dropped. A proposal to include Indian land areas among wilderness units was modified to require consent of the tribes involved and then deleted altogether. A proposed Wilderness Council, intended to serve in an advisory capacity, was eliminated. The formula for congressional review of areas to be finally and permanently designated as units in the wilderness preservation has undergone repeated change in an effort to find a formula for consideration which would insure congressional action without sacrifice of the constitutional power of either body to approve or disapprove the final disposition of the areas involved.

THE PRESENT WILDERNESS BILL

S. 4, herein recommended for passage as amended, was introduced in the 88th Congress on January 9 by Senator Clinton P. Anderson and 21 coauthors. Hearings were conducted February 19 and 20, 1963.

Section-by-Section Explanation

Section 1 states the title as the "Wilderness Act."

Section 2(a) is a statement of Congress belief that increasing population and human developments will occupy or modify all areas of the Nation except those set aside for preservation in their natural condition; it declares congressional policy to assure the Nation of an enduring resource of wilderness and establishes a National Wilderness Preservation System to be composed of appropriate federally owned areas.

Section 2(b) defines wilderness in two ways: First, in an ideal concept of wilderness areas where the natural community of life is

untrammeled by man, who visits but does not remain, and, second, as it is to be considered for the purposes of the act: areas where man's work is substantially unnoticeable, where there is outstanding opportunity for solitude or a primitive or unconfined type of recreation, which are of adequate size to make practicable preservation as wilderness, and which may have ecological, geological, or other scientific, educational, scenic, and historical values.

Section 3 sets out the areas of Federal lands in the national forests, park system, and wildlife refuges and game ranges which are to be designated as part of the wilderness preservation system, or considered for such designation. A procedure is established that will assure review of every area by both the executive agency in charge of it and by the Congress prior to its final inclusion in the wilderness system.

Section 3(b) provides that four categories of wilderness-type areas in the national forests will become units of the wilderness preservation system: wild, wilderness, roadless (canoe), and primitive. Inasmuch as the wild, wilderness, and roadless areas have already been carefully reviewed by the Forest Service and reclassified as such by the Secretary of Agriculture, the enactment of S. 4 will complete their designation as part of the new wilderness preservation system.

The 37 unreviewed primitive areas are put into the wilderness system subject to a review by the Secretary of Agriculture and recommendation to Congress by the President with such boundary adjustments as are deemed proper to include only areas of predominant wilderness value. The President may recommend exclusion of parts of any primitive area not of predominant wilderness value. He may recommend the inclusion of national forest lands adjacent to the primitive area which are of predominant wilderness value but not to exceed, after exclusions and inclusions, the original size of the primitive area. Following the receipt of the President's recommendation in respect to each primitive area, it is provided in section 3(f) that either the House of Representatives or the Senate may disapprove at any time during the next following complete session of Congress. In the event of such a disapproval, the primitive area may again be reviewed and resubmitted to Congress within 2 years, affording the executive branch an opportunity to take into account congressional reasons for disapproval and make adjustments to meet them if it is possible and desirable. All primitive areas must be reviewed and recommendations submitted to Congress within 10 years. All such areas not continued in the wilderness system under the procedure within 14 years—10 years plus time for congressional consideration and a resubmittal—return to the same status as other national forest lands.

Section 3(c) provides for the inclusion of national park system lands in the wilderness system. The Secretary of the Interior is directed to conduct a review of park system units containing 5,000 acres or more of contiguous, roadless lands, and report his recommendation for the incorporation of each such unit into the wilderness preservation system. His recommendations to the President are to include a description of parts of each park system unit, determined in accordance with section 4, the Administrative Procedure Act, which should be reserved for roads, motor trails, buildings, accommodations for visitors and administrative installations. Before the convening of Congress each year, the President is to advise Congress of his recommendations with respect to the incorporation of the reviewed areas into the wilderness system. As in the case of national forest areas, either the House of Representatives or the Senate may disapprove at any time during the next following complete session of Congress under section 3(f).

Section 3(d) deals with wildlife refuges and game ranges. It provides for inclusion in the wilderness preservation of such portions of such areas as the Secretary of the Interior may recommend to the President within 10 years, the President recommends to Congress, and neither the House nor the Senate disapproves under section 3(f). The Secretary of the Interior may also recommend inclusion in the wilderness system, by the same procedure, portions of new refuges or ranges added to his jurisdiction in the next 15 years. Such recommendation is to be made by the Secretary of the Interior within 2 years after the addition of the new unit.

Section 3(e) provides that any modification or adjustment of boundaries of a portion of the wilderness system may be made only after publication of public notice in the vicinity, public hearing in the area, and submission of a recommendation to Congress under the procedures of section 3(f).

Section 3(f), referred to above in regard to finalizing inclusion of forest, park, and wildlife areas in the wilderness system, and in modifying or adjusting boundaries, provides that a recommendation of the President in regard to one of the proposed wilderness areas shall become effective upon the adjournment sine die of the first full session of Congress following receipt of the President's recommendation by the Senate and House of Representatives if neither body has passed a resolution of disapproval prior to sine die adjournment. Resolutions of disapproval are made subject to procedures in the Reorganization Act of 1949 which provide that any Member of either body may, after a resolution of disapproval has been before committee for at least 10 days, move to discharge the committee and bring the resolution to the floor.

The provisions of this section assure the Senate and House of Representatives opportunity to pass on each unit or area proposed for inclusion in the wilderness system separately, without effecting any other unit or area, and assure each Member of the two bodies the right to bring before the body of which he is a Member a resolution of disapproval of any area which may be recommended to Congress by the President.

Section 3(g) provides protection for areas intended to be proposed for wilderness from any and all appropriation under public land laws, to the extent deemed necessary by the appropriate Secretary, pending their review and consideration for wilderness status. Such segregation ends in 5 years if no proposal has been submitted to Congress within that time for inclusion of the area in the wilderness system, or upon the rejection of the proposal by the President or by Congress.

Section 3(h) provides that no area, other than the national forest, park system, and wildlife refuge and game rangelands specifically provided for in the act, shall be added to or eliminated from the wilderness system except by "specific, affirmative authorization by law * * *." This limits the application of the procedure of Presidential recommendations which become effective if not disapproved by the Senate or House of Representatives, to the areas specifically dealt with in subsections (b), (c), and (d) of section 3. Beyond those areas, no Federal lands can become a unit of the wilderness system except by the enactment of a law to that effect.

Section 3(i) provides for public hearings prior to submission of recommendations to Congress on permanent inclusion of areas in the Wilderness Preservation System, assuring that States, counties, and Federal agencies at interest will be notified and have opportunity to submit data on potential alternative uses of the area involved.

Section 3(j) provides that where State inholdings exist in wilderness areas, the State shall be afforded access, or shall be given Federal lands in exchange of equal value. It provides that where a State surrenders mineral rights in such an exchange, the Federal Government may do so also.

Section 4 authorizes the Secretary of the Interior and the Secretary of Agriculture to acquire private landholdings within any portion of the wilderness system subject to the approval of necessary appropriations by the Congress. Acquisition of such lands with donated funds, or under existing authority to exchange lands, is not prohibited. It is made clear that S. 4 does not confer a right to condemn private inholdings and assures such inholders continued access to their properties, and rights of ordinary use and maintenance, which they have had.

Section 5 authorizes the Secretary of Interior and the Secretary of Agriculture to accept gifts of land for preservation as wilderness, subject to regulations in accordance with agreements incident to the gift or bequest which are consistent with the policy of the act.

Section 6 deals with the administration and use of lands in the wilderness preservation system. Section 6(a) provides that nothing in the act shall interfere with the purposes stated in the establishment of, or pertaining to, any park, monument, national forest, wildlife refuge, game range, or other area involved except to make the administering agency responsible for preserving the wilderness character, and to so administer each area for its other purposes "as also to preserve its wilderness character." Subject to the provisions of the act, the wilderness system is to be administered for recreational, scenic, scientific, educational, conservation, and historical use in harmony with the wilderness environment and its preservation.

This section and a portion of section 3(c)(2) have been interpreted by the Secretary of the Interior to mean, as the committee intends, that mining activities may continue in Mount McKinley National Park, and Death Valley, Organ Pipe Cactus, and Glacier Bay National Monuments as provided in the acts establishing each of them. (See S. Rept. 565, 87th Cong., pp. 12 and 13.)

Section 6(b) prohibits any commercial enterprise in the wilderness system, except as provided in the act (i.e., the continuation of grazing in some areas and mining as cited above), and subject to existing private rights. Also prohibited are construction of permanent roads, use of motor vehicles or motorized equipment, motorboats, landing of aircraft, or use of any other mechanical transport. The construction of temporary roads or structures or other installations is limited to the minimum necessary to the administration of the area for the purposes of the act, including measures required in emergencies involving the health and safety of persons within wilderness areas.

Section 6(c) contains eight special provisions as follows:

(1) Provision for continued use of aircraft and motorboats where their use is an established practice, and authorization of necessary measures to control fire, insects, and disease.

(2) Provision that within national forest and public domain areas included in the wilderness system, the President may authorize prospecting, mining, exploration for and production of oil and gas, establishment and maintenance of reservoirs, water conservation works, transmission lines, and other facilities needed in the public interest when he determines that such use is in the best public interest. Also, that grazing of livestock shall be permitted to continue in areas of national forest or public domain where it is an established practice, subject to such restrictions and regulations as the appropriate Secretary deems necessary.

(3) A provision that various acts applicable to the Boundary Waters Canoe Area in Minnesota are to continue to be applicable to the area and are not modified by S. 4.

(4) Authorization of performance of commercial services within wilderness areas which are necessary to realizing the recreational or other purposes of the system, such as provision of horses and guide service to wilderness visitors by persons headquartered and conducting their business operations outside the wilderness area, or taking of pictures or observing and recording of scientific data for pay.

(5) Permits the continuation of any existing use or form of appropriation authorized in executive orders or laws establishing a national wildlife refuge or game range which may be included in the wilderness system.

(6) Provides that nothing in the act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(7) Provides for the maintenance of the present jurisdiction and responsibilities of the several States in respect to fish and wildlife in the national forests.

(8) Authorizes gathering of information about mineral resources in national forest areas included in the wilderness system by means, including prospecting, not incompatible with the preservation of the wilderness environment.

Section 7 provides for the maintenance of maps and legal descriptions of areas in the wilderness system at locations convenient to citizens who may be effected, and maintenance of copies of regulations and other records in regard to wilderness system actions, available to the public, by the Secretary of Agriculture and the Secretary of the Interior. Maps and legal descriptions of each wilderness area are to be filed with the Interior and Insular Affairs Committees of the House of Representatives and Senate within 1 year after their inclusion in the wilderness system. Provision is made for the correction of typographical or clerical errors in these descriptions with the approval of the committees, but modifications of intended boundaries involving elimination from or additions to a wilderness area must be cleared by Congress in accordance with section 3(c) or section 3(h), as appropriate. Section 3(c), governing modification of boundaries, is intended to provide for relatively small adjustments to regularize boundaries, to serve administrative convenience, and similar purposes. Section 3(h), requiring that additions or eliminations from the wilderness system beyond those specifically provided for within the act, provides that they shall be done only by specific, affirmative authorization by law. This provision covers the establishment of any new or additional wilderness system unit, or any addition to or elimination

from a previously established unit within the wilderness system. The act does not include a specific acreage limit on areas which may be involved in a modification of boundary under section 3(c) since such modifications are subject to disapproval by either the House of Representatives or the Senate. It is not intended, however, that section 3(c) governing modification of boundaries shall be used to achieve a change primarily for the purpose of adding to or eliminating an area of land from, the wilderness system.

Section 8 authorizes the Secretary of the Interior and the Secretary of Agriculture to accept contributions and gifts to be used to further the purpose of the act and makes such gifts for public purposes subject to the usual deduction for purposes of income, estate, and gift taxes in accordance with the provisions of the Federal Revenue Code of 1954.

Section 9 authorizes the establishment of a Presidential Land Use Commission in any State having more than 90 percent of its total land area owned by the Federal Government and defines the duties of such commissions. The section is applicable only to the State of Alaska, where more than 99 percent of the total land area is federally owned. The Commission is to be composed of five members, including not more than three from one political party and including three members from the State affected.

The Commission will advise and consult with the Secretary of the Interior and make recommendations on the utilization, development, and protection of Federal land areas in Alaska generally. It is charged specifically with making recommendations to the Secretary of the Interior in regard to inclusion of Alaskan areas in the wilderness system. The Commission's recommendations are to accompany each recommendation made to Congress, under this act, for designation of a wilderness area in the State.

COMPETITIVE LAND USES

The same growth of population which makes imperative the establishment of a wilderness system and preservation of some of the Nation's primitive areas for their unique values, also increases pressure for lands for other uses. Conflict between land use interests will intensify in the future, making decisions between various uses of available lands—all necessary in a healthy and vigorous nation—increasingly difficult.

Serious consideration has been given to the various competitive uses. Provisions have been included in the bill for future modifications in the wilderness system, or in regulations governing specific areas, if it is the finding of the President of the United States that a nonwilderness use is in the greater public interest than is wilderness use in some specific area. Congress itself can at any time enact legislation making changes.

The majority of the committee is convinced that the potential effect of S. 4 on competitive use industries has been considerably overdrawn and that it is clearly in the greatest public good to establish a wilderness preservation system.

THE EFFECT ON MINING AND OIL OPERATIONS

With the exception of the four park areas where mining is and will continue to be permitted under S. 4, national park system areas are now closed to these industries and the mining law is not applicable.

National wildlife refuges and game ranges are now strictly regulated and all but closed to mining and petroleum activity.

The greatest effect which S. 4 will have on the mining industry and it does not affect any existing private rights is in relation to the approximately 14.3 million acres of national forest areas and almost miniscule fraction of the Nation's 2,271,304,320 acres of land area in the 50 States.

Mining laws apply to these areas now, subject to strict regulations to guard punitive values. The mining law, with the right to file claims and go to patent, will not apply to these 14.3 million acres if S. 4 is enacted.

However, areas of national forest lands finally designated as part of the wilderness system will continue to be subject to exploration by means not inconsistent with the preservation of the wilderness character of the lands. If minerals are found, and the President finds mining in the area would be in the greater public good than preservation of wilderness, he is empowered to authorize such mining. Congress can at any time, by enactment, remove areas from the wilderness system.

The extreme contention is not true that S. 4 might lock up in the wilderness system some now unidentified mineral on which the Nation's fate might hang. In any such eventuality the wilderness system could and undoubtedly would be opened to exploration for the mineral and, if found, mined with the consent of the President.

In view of the vast unexploited land areas of the Nation that remain and the safeguards written into S. 4, the majority of the committee does not feel that the mining industry will actually be injured by the bill, and that the release of some primitive lands as a result of a review of their greatest value will be of advantage to mining.

THE TIMBER RESOURCE SITUATION

The Nation can have a wilderness system and an abundance of timber next year, and for many, many years ahead with prudent management.

There is no timber harvest today from the lands being considered for inclusion in the wilderness system under S. 4. Parks and wildlife lands are restricted from extensive timber exploitation by the basic legislation creating them.

The national forest lands affected by S. 4 are not now subject to exploitation for timber. Timber sales were barred by executive regulation, with rare exceptions, when the 14.3 million acres of national forest primitive areas were set aside in the twenties and thirties for preservation as wilderness. Actually, because of their inaccessibility, there was little need for such a regulation. Most of the areas were, as they always had been, and still are, too inaccessible for exploitation.

The States with national forest wilderness areas have 65.9 million acres of commercial national forest lands, outside wilderness, with an allowable annual cut, on a sustained-yield basis, of 8.475 billion board

feet. In 1960 only 7.835 billion board feet were cut, including special cuttings in some areas due to fire salvage. The gap between actual timber cut and the amount which could have been cut was in excess of 1 billion board feet of timber, making allowance for the special salvage operations.

In the years immediately ahead, there is a margin of allowable cut over actual cut to support a considerable expansion of timbering. The gap in Montana alone, some 524 million board feet, is more timber than all national forest wilderness type areas could produce if they were committed to exploitation and it was economically feasible to exploit them.

The commercial timberlands in the wilderness-type areas are not a significant portion of our timber resource for future years. Only 4.7 million acres of the 14 million acres in the wilderness-type areas involved are designated as commercial timberland. This does not give consideration to the fact that the wilderness forest is at higher than average elevation, resulting in a lower ability to produce timber. They are also relatively inaccessible, making the cost of exploitation high due to expensive access road construction costs. And some of the 4.7 million acres involved will unquestionably be excluded from the wilderness system during review of primitive areas required by S. 4.

The Nation's best opportunities to provide an abundance of timber in future years is in sound management of its forest lands.

There are 52 million acres of accessible forest land needing reforestation in the United States. Planted to trees, these idle acres could produce 6 billion board feet annually—at least 12 times the potential capacity of the higher, less accessible wilderness forest lands.

The annual national loss of sawtimber in the Nation from insects, fire, disease, and other causes is 43.8 billion board feet, including direct mortality and growth impact, or retardation of growth caused by insects, fire, and disease. This is more than 80 times the growth capacity of the wilderness forest areas and nearly equal to our present annual timber cut.

The need is for the application of modern forestry techniques to all the 488 million acres of commercial forest lands in the Nation, outside the forest wilderness areas, rather than to cut over the nine-tenths of 1 percent of such lands in the areas of wilderness value to permit a few more days of procrastination. Wilderness forest could supply us with only about 4 days additional supply of wood on an annual harvest basis if the heavy costs, in real dollars and wilderness values, were disregarded and they were exploited. Needed reforestation could provide nearly 50 days additional supply. Arresting losses by application of modern forestry techniques could add up to 320 days additional supply.

THE EFFECT ON GRAZING RESOURCES

S. 4 does not reduce grazing in areas in the national forests which are put into the wilderness system. The bill provides that it shall be continued where it is an established practice without dimunition as a result of the passage of the act.

Should public domain lands be put into the wilderness system by an affirmative act of Congress in the future, the same provision for continuation of grazing will apply under S. 4.

EFFECTS ON WATER RESOURCES

S. 4 does not interfere with Federal Power Commission authority in forest areas involved and provides that the President may authorize the construction of water facilities in national forest and public domain wilderness areas when he finds such use in the greater public interest than its continued preservation as wilderness. Congress can, of course, at any time enact a statute authorizing a water facility anywhere on the public lands and will continue to have that power after S. 4 is enacted.

S. 4 does not, therefore, make it forever impossible to construct water facilities within wilderness system areas. It establishes a procedure by which the value to the people of the Nation of competing uses for Federal lands shall be weighed and a decision made between such uses, subject always to either affirmative or negative intervention by Congress through legislative action.

The committee is convinced that the values of wilderness areas, largely intangible values, are great, and for the present outweigh the values of competing uses which may be forfeited by preservation of wilderness of the areas involved in S. 4. It recognizes, also, that primitive areas, once exploited, will never again be primitive, and that some must be set aside for preservation now if they are to be preserved in their natural state and retain certain irreplaceable values.

S. 4 accordingly establishes a Wilderness Preservation System and provides that areas within it may not be yielded to other uses except after examination of the issue at the highest levels of Government and that no variance from the wilderness use should be approved except upon a clear showing of greater public good which cannot be met by alternative means.

THE USES AND VALUES OF WILDERNESS

Lands devoted to wilderness provide benefits beyond those identified as wilderness benefits and are truly multiple-use lands.

They provide watershed protection and clear, pure water for users below them.

They provide game which, if it could be produced at all, would cost tens of millions of dollars to maintain, propagate, and produce in artificial facilities. Scientists testify that some species cannot exist except in wilderness.

Under the provisions of S. 4, areas of the wilderness system will continue to supply forage for domestic livestock.

And they supply the recreational, scenic, scientific, educational, conservation, and historical use values to which S. 4 directs emphasis in future management of the wilderness preservation system.

Although these values are most often described as intangible, unmeasurable values, their worth to the Nation and to mankind is becoming increasingly easy to perceive and to estimate, even in dollar terms, as the Nation attempts to reacquire title to lands for necessary outdoor recreation areas facilities, or for wetlands essential for fish and game, or to build museums in which relatively miniscule evidences of natural history may be preserved for scientific, educational, and historical purposes.

Wilderness areas, as distinguished from park-type facilities where mass recreation is available, are being used by 2 to 3 million persons annually.

The use is less casual than use of other types of recreational facilities. Trips into wilderness are frequently of many days or weeks duration. They are often a once-in-10-years event in life, or even a once-in-a-lifetime expedition to some remote scenic or historic mountain or area. As a consequence of the nature of wilderness use, annual visitor figures—even if more adequately and reliably gathered—would not be indicative of the proportion of citizens interested in wilderness recreation.

In 1957 testimony, the Forest Service reported 450,000 persons used Forest Service wilderness areas in the preceding year. There is similar use of wilderness and primitive areas in the national park system, some on public domain lands, wildlife range and refuge areas, and State and private holdings.

Commenting on the National forest policy toward wilderness, Chief Richard E. McArdle testified:

> * * * we are not providing for 450,000 people in the wilderness. We are providing for many more. We are looking ahead 100 years, 150 years. That number will increase. It will not be 450,000.

Wilderness recreation has values not present in other types of recreation. Doctors have testified of the therapeutic value of an experience in a natural area. Many individual witnesses in their pleas for passage of S. 4, or one of its predecessors, in often eloquent descriptions of scenes, sunsets, historic and scientific objects, and educational observations in wildnerness, have confirmed that both the intangible spiritual and therapeutic values and benefits claimed for wilderness recreation are realities which greatly enrich the lives of those who experience them.

SCENIC VALUES

John Ruskin wrote in his second volume on "Modern Painters," published in 1846:

> * * * beautiful things are useful to men because they are beautiful, and for the sake of beauty only; and not to sell, or pawn, or in any other way turn into money.

In spite of Ruskin's injunction, paintings, and objects of art are evaluated in economic terms. They are bought to satisfy pride of possession. Admissions are paid to view them. They are a basis of economic activity.

Similarly, the scenic wonders of our forest, park, and public lands have their greatest value to men because they are beautiful—a beauty that can be lost if the areas are opened to physical exploitation and not preserved substantially as the Creator has presented them to us.

At the same time, these same scenic worders have direct monetary values as tangible as the forests and minerals on and within them. They are the magnets that energize travel, tourism, and economic activity which, in some States, ranks among the [illegible] income.

SCIENTIFIC, EDUCATIONAL, AND HISTORIC VALUES

Separation of the scientific, educational and historic values of wilderness into neat categories is not possible.

The wilderness hiker, primarily interested in recreation, observes evidences of geological and natural history, resource management and conservation by natural forces, the interrelationships of various forms of life. His recreation is flavored and enriched by the other values.

Students using wilderness as a laboratory for observation of geological, biological or other categories of phenomena, reap recreational values.

Excerpts from the statements of a few of the many educators, scientists and scientific groups who have supported a wilderness preservation system, are indicative both of the separate and interrelated values which will flow from natural areas and must be appraised in making a sound determination on the desirability of setting aside primitive areas for protection as such.

Dr. Walter P. Cottam, professor of botany at the University of Utah, testified:

> Besides the great spiritual and recreational blessings afforded to all the people living and unborn, this bill also provides laboratory sanctuaries for biological research that should prove to be of inestimable academic and economic worth. One of the most perplexing problems in land management today is the lack of available wilderness areas from which comparisons can be made and lessons learned on the life histories, on food chains, and other ecological interactions of myriads of living forms whose impact on the future of man himself may well prove to be far greater than any of us can possibly realize.

Speaking as an educator, Dr. Angus M. Woodbury, emeritus professor, University of Utah, testified:

> The bill sets up areas which can be used as yardsticks, or experiments, by which things as they are in used areas, can be compared with these as they were before they were disturbed, and this proposal to make everything available for use destroys that ability, especially for educators who need samples which they can teach to their children or to their students, to show what was, as a basis for comparison, for the future guidance and control of biological resources in the country.

A resolution of the Wildlife Society, composed of scientists concerned with wildlife management, adopted in 1947, and reiterated at the committee's hearings, said:

> * * * the remnants of primitive America and of irreplaceable value to science as sites for fundamental research and as check areas where none of the human factors being compared by investigators have been operative.

* * * * *

> * * * the science of wildlife management is peculiarly concerned with the perpetuation of primeval areas as check areas against which the practices in game production on lands under management can be measured.

The American Society of Mammalogists said in a resolution adopted 1946, and submitted to the committee in 1958:

> * * * the few remaining representative areas of American wilderness are of value not only as a heritage of the past and as unique recreational areas, but also as the scenes of research and as locations for check areas in connection with scientific investigations involving comparison of conditions on natural areas with those on farms, rangelands, and other areas under management.

Luna B. Leopold, Chief of the Water Resources Division of the U.S. Geological Survey, has emphasized the value of untouched areas of significant size as "benchmarks" in connection with water problems, including falling water tables.

A similar value in connection with observation of transpiration from plant life into the atmosphere, and effect on climate and rainfall, has been suggested.

Historical, scientific, educational, and other values of wilderness were well epitomized by Howard Zahniser, spokesman for wilderness proponents, in his description of a primitive area as "a piece of the long ago that we still have with us."

The very real values of having some of it cannot be questioned.

Some Dollar Considerations Involved

SHORELINE—AN EXPENSIVE PURCHASE PROGRAM

On January 2, 1935, the National Park Service submitted to the Secretary of the Interior a study indicating that the Federal Government could and should acquire 427 miles of seashore frontage in areas embracing 602,000 acres at an estimated cost of $11,988,000.

Only one of them was acquired, the present Cape Hatteras Seashore Recreation Area.

Recently Congress passed a bill to acquire 88 miles of Padre Island, off Texas, at a cost of $4 million for acquisition alone. In 1935 the entire 117-mile island could have been acquired for one-eighth of that amount.

Other areas listed in 1935 have been developed or otherwise made unavailable, so the Nation has belatedly turned elsewhere in search of comparatively small tracts of seashore which can be acquired to assure some public access to our oceans. Cape Cod, approved by Congress, will cost more than the whole 427 miles would have cost in 1935. Cost of Point Reyes, Calif., is estimated at nearly three times the 1935 estimate on 427 miles.

Twenty-five years after the original seashore report to the Secretary of the Interior, it is not difficult to see that expenditure of $11 or $12 million at that time would have saved the Nation tens of millions of dollars.

There is an opportunity to establish a significant wilderness preservation system in the United States today without any cost of acquisition to the Government, for it would be on lands still in Government hands.

Even though the acreage remained in Government hands, if it were exploited commercially and lost its wilderness character, the Government would inevitably in the future be confronted—as it is confronted today in relation to seashores—with buying and preserving remnants of wilderness in private ownership to meet, in a much less adequate way than S. 4 provides, the need for fast vanishing wilderness recreation and other wilderness values.

MUSEUMS WITHOUT COST

"We take it for granted," says Dr. Luna Leopold—

> that there is some social gain in the erection of a museum of fine arts, a museum of natural history, or even an historical museum. Sooner or later we ought to be mature enough to extend this concept to another kind of museum, one which you might call the museum of land types consisting of samples as uninfluenced as possible by man.

This quotation presents another concept of the value of a wilderness preservation system.

The budget estimate for the Smithsonian Institution in 1962 which includes $10 million for additions to the natural history building and $13.6 million for the museum of history and technology, as well as approximately $9 million for salaries and expenses, totals $35,162,000. While this figure covers both construction and operating expenses of a museum of many fields of interest, it is nonetheless indicative of a dollar evaluation which could be placed on the natural museums which our wilderness areas represent. The fields of scientific interest represented by the proposed wilderness preservation system areas are far wider than the single purpose—museums of land types—which Dr. Leopold suggested. They would be living museums of geological, biological, ecological and many other values which could not be duplicated by a future generation at any cost, although they are available today without expense to the Government.

Wetlands—A $150 Million Cost Item

The present generation cannot criticize its forebears for disposing of wetlands once owned by the Government, nor for draining a part of them. They had no way to know that the existence of wetlands would in a few generations be a critical need. Nonetheless, Congress has passed a bill authorizing a 10-year, $105 million program to buy wetlands to provide habitat for migratory wildfowl. The sum is to be liquidated by receipts from duck-hunting stamps, without interest.

This situation is another indication of the opportunity which S. 4 presents to provide a class of needed lands now without cost which could cost hundreds of millions of dollars, if obtainable at all, at some future time.

Conclusion

We know that there has long been a genuine demand for wilderness preservation. Theodore Roosevelt recognized it in his first annual message to Congress on December 3, 1901, when he said:

> Some at least of the forest reserves should afford perpetual protection to the native fauna and flora, safe havens of refuge to our rapidly diminishing wild animals of the larger kinds, and free camping grounds for the ever-increasing numbers of the men and women who have learned to find rest, health, and recreation in the splendid forests and flower-clad meadows of our mountains.

It is not too late in our disposition of the public lands and land holdings to meet the fast growing need for wilderness without damaging other interests, requiring real sacrifices, entailing enormous expenses, or requiring the acceptance of second rate remnants.

If we act promptly by the enactment of S. 4 we can preserve without cost for the present and future generations, truly priceless areas. The failure of S. 174 to achieve final enactment in the 87th Congress can still be remedied by passage of S. 4.

If we do not now provide for adequate wilderness preservation, we shall have no valid excuse to leave to our progeny for our delinquency.

Because of the urgency of final enactment of wilderness legislation, the committee urges the Senate to again pass such legislation, and again send a Senate Act to the House of Representatives as a reaffirmation of the continuing, sincere, and urgent desire of the Senate for enactment of such legislation, and for an expression of the will of the majority of the House on the proposal.

Amendments

Amendments adopted by the committee and their explanation follow:

1. On page 12, line 9, amend section 3(j) by striking all of the lines 9 through 16 and substituting the following:

> (j) In any case where State-owned land is completely surrounded by lands incorporated into the wilderness system, such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unappropriated and unoccupied Federal land in the same State, equal in value to the surrounded land; provided that if the States does not reserve mineral rights in the surrounded land conveyed to the United States, the United States need not reserve mineral rights in the land conveyed to the State in exchange.

The provision that the lands shall be of equal value is a departure from existing law and practice, which is not intended as a precedent, with respect to in lieu or indemnity selections of Federal lands by a State for school-grant selections. The governing statute is the act of August 27, 1958 (Public Law 85–771, found in 43 U.S.C. 851–852, as amended) which, because of the unstable and ever-changing character of mineral values provides for a selection on a basis of equal acreage. The fact that equal value is not the basis for such in lieu selections was recognized by the Department of the Interior in its report dated February 27, 1958, on S. 2517, 85th Congress, the bill that formed the basis of the present law.

The amendment is an attempt to clarify the intention of the Senate in regard to section 3(j), which was originally proposed, withdrawn, revised, again proposed and adopted during floor consideration of S. 174 in 1962. The amended section represents a more deliberate and careful drafting and consideration.

2. On page 12, line 23, amend by striking out the period, inserting a semicolon and adding:

> *Provided*, That nothing in this Act shall be construed to confer a right of condemnation with respect to privately-owned land within the boundaries of a wilderness area, or to impair any customary right or privilege heretofore enjoyed by the owners of such land, respecting access to it or to its ordinary use and maintenance.

The committee's attention has been directed to instances in which facilities for wilderness visitors, which do not grossly impair the wilderness environment, are maintained on private inholdings. This additional proviso is intended to permit access by means heretofore enjoyed and to make clear that private inholdings may not be acquired by condemnation.

3. On page 11, beginning at line 19, strike all of subsection 3(i)(1) through line 3 on page 12, and substitute in lieu thereof the following:

> (i) (1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to any area's retention in or incorporation into the wilderness system—
>
> (A) Give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land.
>
> (B) Hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, that if the lands involved are located in more than one state, at least one hearing shall be held in each state in which a portion of the land lies.
>
> (C) At least thirty days before the date of a hearing advise the Governor of each State and the county, or in Alaska the borough, governing board of each county, or in Alaska the borough, in which the lands are located, the United States Forest Service, the United States Soil Conservation Service, the Corps of Engineers of the United States Army, the Bureau of Reclamation, the Bureau of Mines, the United States Geological Survey, the Bureau of Sport Fisheries and Wildlife, the Federal Power Commission, the Rural Electrification Admin-

istration, and the Federal Communications Commission, inviting each to set forth its views at the hearing. It shall be the responsibility of each named Federal agency to submit its independent views concerning the designation of an area as "wilderness," giving an analysis of the comparative values that may be involved as between wilderness and that type of development or uses for which the Federal agency has administrative responsibility.

The amendment is intended to assure that, in the review of areas for permanent designation as a part of the Wilderness Preservation System, opportunity will be afforded for citizens to express their views and information will be developed by public agencies concerned on potential alternative uses of the areas involved.

4. On page 14, line 20, strike the word "well".

5. On page 15, line 14, strike the word "well".

In both instances, the word is used to describe practices (use of aircraft and motorboats and grazing of livestock) which have become "well established." It is the committee's view that the word "well" in this use lacks legal definition or meaning and adds nothing to the intended meaning of the provisions involved.

Reports of Executive Agencies

Reports of the executive agencies and the Federal Power Commission follow:

Department of the Interior,
Office of the Secretary,
Washington, D.C., February 21, 1963.

Hon. Clinton P. Anderson,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

Dear Senator Anderson: Your committee has requested a report on S. 4, a bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

We urge the enactment of the bill. We recommend, however, that the bill be amended in one important respect as suggested below.

Wilderness resources contain basic values and provide undeniable benefits to the American people. We believe this has been amply demonstrated from the previous hearings of your committee on wilderness proposals. In our opinion, the establishment of a wilderness system, along the lines outlined in this bill, is in the public interest.

This proposal recognizes equitably the various facets to the problem of wilderness preservation. We believe that it resolves many, if not all, of the objections that have been raised in the past to wilderness proposals. It clearly delimits the wilderness system to well-defined areas and prescribes an orderly method for establishment of the system. It prescribes sound procedures applicable to both the executive and legislative branches of the Government in determining the particular areas or parts of Federal reservations to be included in the wilderness system.

The system to be established by this bill would be composed of federally owned lands. Portions of the national park system, wildlife refuges, and game ranges administered by this Department, and portions of the national forests administered by the Department of Agriculture would be included in the system. It should be noted in this connection that the national park system areas, wildlife refuges, and games ranges that we administer would not be included immediately following enactment of the proposal in the wilderness system. Portions of these areas would be selected and included in this system over a 10-year period, in accordance with prescribed procedures set forth in the bill. In the case of the national forest areas, however, there would be included in the wilderness system immediately upon enactment of the legislation those national forest areas classified by the Department of Agriculture as wilderness, wild, primitive, or canoe. The primitive group of areas, however, would be subject to subsequent review over a 10-year period in order to determine which of these areas should be retained in the system.

One of the major provisions of the bill is contained in section 3(h). This subsection provides that the addition of new wilderness areas to the system or the elimination of the areas from the system that are not specifically provided for by the bill shall be made only after specific authorization by law for such addition or elimination. We believe this requirement is desirable.

Section 2 of the bill contains a statement of policy that would express the desire of the Congress to secure for present and future generations the benefits of an enduring resource of wilderness. Sections 2 and 6 contain the general provisions that would govern the administration of wilderness areas as well as prescribe the purposes and uses of the system. Significantly, the bill provides that the system shall be administered for the use and enjoyment of the American people, in such manner as will leave the system unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of the areas, and the preservation of the wilderness character. This provision is very similar to the requirements now applicable, pursuant to the basic National Park Act of 1916 (16 U.S.C. 1–3), to the national park system. On this point we observe that wilderness type areas constitute an important segment of the national park system and have contributed heavily over the years to the enjoyment by the American people of wilderness values.

We believe that section 6(a) is worthy of special note. This subsection provides that nothing in the act shall be interpreted as interfering with the purposes stated in the establishment of or pertaining to, any park, monument, or other unit of the national park system, or any national forest, wildlife refuge, game range, or other area involved, except that any agency administering any area within the wilderness system shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes and also to preserve its wilderness character. This provision, we believe, has the effect of preserving the status quo to the maximum extent in the management of the Federal reservations in question, subject, however, to the overall requirement that the administering agencies carry out the essential requirements set forth in the bill for wilderness preservation.

While the bill prohibits, consistently with wilderness preservation, as prescribed in section 6(b), commercial enterprises within the wilderness system, roads, motor vehicles, motorized equipment, et cetera, it provides in section 6(c)(4) that commercial services may be per-

formed within the wilderness system to the extent necessary for activities which are proper for realizing the recreational or other purposes of the system.

In addition to the general provisions relating to administration of the wilderness system, there are specific provisions in the bill that are applicable to national forest areas. These provisions would permit certain uses to continue that are already well established within the forest areas in question. Also, certain additional uses may be authorized by the President upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial. In the case of wildlife refuges and game ranges, the bill provides that any existing use or form of appropriation authorized or provided for in the Executive order or legislation establishing such areas and which use exists on the effective date of the act may be continued under such authorization or provision. In this connection, we note that the bill makes no provision for special uses within the national park system. We believe this is appropriate and is consistent with long-established policies and standards, established by the Congress for administration of that system.

There are other provisions that are worthy of mention. Boundary adjustments may be made in wilderness areas in accordance with certain prescribed procedures whereby the appropriate Secretary after public notice and hearing, subsequent recommendations to the President, and transmittal of such recommendations to the Congress the boundary adjustments may be accomplished if the Congress makes no objection thereto. We note that in the case of areas of the national park system the bill provides for the inclusion of those areas of more than 5,000 acres where such areas exist without roads. The Secretary would be required to determine what portions of the parks would be required for roads, utilities, et cetera. The bill contains no minimum acreage limitations regarding wildlife refuges and game ranges to be included in the system.

We recommend one amendment to the bill.

Section 11 would permit the Federal Power Commission to authorize power developments in wilderness areas without a determination by the President that such developments are in the interest of the United States and its people as required in section 6(c)(2) in the case of other nonwilderness uses. We urge, therefore, that section 11 be deleted from the bill. If this is done, then all nonwilderness uses will be subject to the Presidential determination provided for in section 6(c)(2).

The Bureau of the Budget has advised that there is no objection to the presentation of this report and that enactment of legislation along the lines of S. 4 would be in accord with the program of the President.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., February 19, 1963.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, 3108 New Senate Office Building,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget on S. 4, a bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

S. 4 would establish policy and procedures for the designation and preservation of certain federally owned areas in a National Wilderness Preservation System. The objective of this legislation has had the repeated support of the President.

Accordingly, the enactment of legislation along the lines of S. 4 would be in accord with the President's program.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 21, 1963.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs,
U. S. Senate.

DEAR MR. CHAIRMAN: This is in response to your request of January 21, 1963, for a report on S. 4, a bill, to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

We strongly recommend that the bill be enacted, insofar as it affects this Department, with the amendments hereinafter mentioned.

The bill would declare a policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For that purpose, the bill would establish a National Wilderness Preservation System, which would include national forest areas, national park system areas, and national wildlife refuge and game range areas. The bill would provide that the federally owned lands within areas of the wilderness system would be administered in such a way as to leave them unimpaired and to provide for the protection and preservation of their wilderness character. It would provide for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

The bill would include in the National Wilderness Preservation System all areas within the national forests classified on the effective date of the act as wilderness, wild, primitive, or canoe. The areas classified at that time as primitive would be reviewed within 10 years as to their suitability for continued inclusion in the wilderness system. Recommendations of the Secretary of Agriculture following such review would be reported to the President and each year the President would submit to the Congress his recommendations with respect thereto. Provision would be made for including in such recommenda-

tions appropriate adjustments in primitive area boundaries but the size of any primitive area could not be increased as a result of such adjustments.

The President would be authorized to recommend minor modifications or adjustments of boundaries of areas in the wilderness system. Recommendations made under the bill would include the views of the Governor of the State in which the area is located if such views are submitted within 90 days after they are requested.

The recommendations of the President with respect to the continued inclusion of primitive areas in, or the exclusion of such areas from, the wilderness system and for minor modifications or adjustments of boundaries of areas in the wilderness system would take effect if not disapproved by resolution of either the Senate or the House of Representatives within a full session of Congress following the date the recommendation was received.

The bill would provide that the addition of any area to, or the elimination of any area from the wilderness system which is not specifically provided for in the bill could be made only after specific affirmative authorization by law. It is understood that this would apply to the addition of a completely new wilderness-type area to the system or the complete elimination of a wilderness-type area from the system, and not to additions or eliminations of land areas to an existing wilderness-type area in the system by a minor modification or adjustment of boundaries.

In any case where State land is surrounded by lands in the wilderness system the State would either be assured adequate access to its land or would be authorized to exchange for vacant, unappropriated, and unreserved land in the State.

The bill would permit the use of aircraft or motorboats where well established to continue, and measures for fire, insect, and disease control could be taken. Prospecting and mining and the establishment and maintenance of reservoirs, water conservation works, transmission lines, and other facilities needed in the public interest within specific portions of national forest areas in the wilderness system could be authorized by the President upon his determination that such uses would better serve the interests of the United States than would their denial.

The grazing of livestock where well established on national forest areas in the wilderness system would be permitted to continue. This provision would not affect the Secretary's authority to regulate and control grazing in such areas. He would continue to have authority to reduce or terminate grazing within these areas for all other purposes or reasons that he can take such action with respect to other national forest areas.

Otherwise with respect to national forest areas, subject to existing private rights, commercial enterprise, permanent roads, use of motor vehicles and equipment, and mechanized transport within areas of the wilderness system would be prohibited, and temporary roads and structures in excess of the minimum required for the administration of the area for the purposes of the act would be prohibited within areas of the wilderness system. Emergency measures for the health and safety of persons would be permitted within such areas.

The Boundary Waters Canoe Area in the Superior National Forest would continue to be administered under this and other applicable acts for the general purpose of maintaining the primitive character of the area without unnecessary restrictions on other uses, including that of timber.

Commercial services proper for the realization of recreational and other purposes of the wilderness system could be performed within areas of the system. The bill would not affect the present situation as to the application of State water laws, nor the jurisdiction or responsibilities of the States with respect to wildlife and fish. Neither would the bill prevent within national forest areas any activity including prospecting for the purpose of gathering information about mineral or water resources or the completely subsurface use of such areas if such activity or subsurface use is carried on in a manner which is not incompatible with the preservation of wilderness environment.

The bill would authorize the acquisition by the Secretaries of the Interior and Agriculture of lands within areas of the wilderness system under their respective jurisdictions and would provide for the acceptance and use of contributions of money to further the purposes of the act. Each Secretary would maintain public records pertaining to the portions of the wilderness system under his jurisdiction. Joint annual reports would be made to the Congress.

A Presidential Land Use Commission comprised of five persons to be appointed by the President would be established with respect to any State in which the Federal Government on January 1, 1961, owned more than 90 percent of the land. The Commission would advise and consult with the Secretaries of the Interior and Agriculture on the current utilization of federally owned land in such State. The recommendations of the Commission would accompany any recommendation made under the act.

The bill further provides that nothing in it shall be construed as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act.

This Department believes that the establishment and maintenance of wilderness-type areas is a proper use of the national forests and has steadfastly maintained continuity of policy in this regard for over 38 years. The term "wilderness area" originated on the national forests.

In 1924, the first area for the preservation of wilderness in the national forests was established. It comprised a large part of what is now the Gila Wilderness Area in the Gila National Forest in New Mexico. In 1926, parts of the Superior National Forest in northern Minnesota were given special protection. These areas later became parts of areas designated as roadless areas and which are now designated as the Boundary Waters Canoe Area. The first primitive area in the national forests was established in 1930 under regulations of the Secretary of Agriculture. By 1939, there were 73 primitive areas and 2 roadless areas, totaling 14.2 million acres.

In 1939, new secretarial regulations were issued, providing for the establishment of wilderness and wild areas in the national forests. Wilderness and wild areas provided for in these regulations meet essentially the same criteria except that wilderness areas exceed 100,000 acres in area, and wild areas range from 5,000 to 100,000 acres. Wilderness areas are established by the Secretary of Agriculture, whereas the Chief of the Forest Service may establish wild areas.

No new primitive areas were established after 1939. Since that time, primitive areas have been managed in accordance with the regulations applicable to wilderness areas. The Department has been restudying primitive areas and reclassifying those areas or parts of areas which are predominantly valuable for wilderness as wilderness areas. We are continuing that study and plan to complete the study as to all remaining primitive areas.

As of this date, there are the following wilderness-type areas within the national forests:

Kind of area	Number	Acreage
Wilderness	16	6,285,186
Wild	30	1,047,554
Primitive	37	6,098,532
Canoe	1	886,673
Total	84	14,318,575

The wilderness, wild, primitive, and canoe areas of the national forests include some of the most remote and scenic areas of the Nation. They have unique and special values, which have long been recognized by wilderness enthusiasts, and by the Forest Service. They comprise valuable and essential parts of the national forests.

The management of the Boundary Waters Canoe Area differs from that of wilderness, wild, and primitive areas. It is managed for the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages. In effect the same management principles would continue in this area under the provisions of section 6(c)(3) of S. 4.

With respect to the wilderness, wild, and primitive areas in the national forests, we believe that a general discussion of the use or nonuse of the various resources will be helpful.

Timber.—Commercial timber harvesting is not now permitted in these wilderness-type areas and we have no plans to alter this policy. It would not be allowed in such areas under the provisions of S. 4. Timber may be cut for the purpose of controlling fire, insects, and diseases and could be under S. 4.

Grazing.—Livestock grazing may be permitted in these wilderness-type areas under present policy. It is now permitted in slightly more than half the areas. Our most recent figures show about 59,000 head of cattle and horses and 309,000 head of sheep and goats under permit in these areas. Under the terms of S. 4, this grazing of livestock would be permitted to continue.

Mining.—Authority now exists under which mineral leases can be issued for leasable minerals in the wilderness, wild, and primitive areas either under the Mineral Leasing Act of 1920 or the Mineral Leasing Act for acquired lands. It is the policy of this Department to recommend against, and the policy of the Department of the Interior to withhold, the issuance of mineral leases in these areas unless directional drilling or other methods can be used which will avoid any invasion of the surface of the wilderness, wild, or primitive area.

Under S. 4, mining, including the production of leasable minerals, would be prohibited unless it involved only subsurface use such as directional drilling within such areas or unless the President as to specific areas determines that to permit it would better serve the interests of the United States than would its denial.

Prospecting for leasable minerals and for locatable minerals where the mining laws apply is allowed at this time. It must be done in a manner consistent with applicable regulations, including restrictions on the use of mechanized transportation. Under the provisions of S. 4, prospecting could be carried on in a manner not incompatible with the preservation of the wilderness environment.

In those portions of the wilderness, wild, and primitive areas to which the mining laws apply, mining locations may now be made. Upon valid discoveries, mining operations may be carried out with or without an application for patent. S. 4 would not affect valid, existing rights. But, subject to existing rights, it would prohibit mining unless it involved only subsurface use such as directional drilling or shafts driven from outside the area or unless the President as to specific areas determines that to permit it would better serve the interests of the United States than would its denial.

In March of 1961, it was estimated that there were about 13,000 unpatented mining claims in these areas. Also, there were six mines in active operation, all in primitive areas. The existence of operating mines and the concentration of unpatented mining claims will be significant factors in reviewing primitive areas and in formulating recommendations as to which areas or portions of areas should continue in the wilderness system or be excluded therefrom.

Water developments.—Water developments for the storage and diversion of water for irrigation, domestic, and other uses have been allowed in these wilderness-type areas. The works generally have been constructed and maintained by means which did not involve motorized transportation. There are 144 such projects. We would construe the provisions of S. 4 as permitting the continued maintenance of these existing projects by means which would not involve motorized transportation as in the past. The bill would allow new water developments if the President determined that such uses in specific areas would better serve the interests of the United States than would its denial.

The Federal Power Commission has authority under the Federal Power Act to issue licenses for the construction and maintenance of power projects on these wilderness-type areas of the national forests as well as on other national forest lands. Licenses have been issued for seven such projects in these areas. Under the provisions of section 11 of S. 4, the provisions of the Federal Power Act would not be affected in any way and licenses could continue to be issued by the Federal Power Commission in these areas. We will comment on this later.

Recreation.—Recreation uses of these wilderness-type areas are of the kind, including hunting and fishing, normally associated with wilderness enjoyment. These uses would continue. Commercial services to the extent necessary for the recreational or other purposes of the wilderness system may now be performed, and could continue to be performed, in the areas. Hotels, resorts, summer homes, and other such types of recreational developments are not now, and would not be, permitted.

There are within these areas trails and facilities of a primitive nature for camping. These include primitive-type sanitary facilities. These will continue under our present policy and could continue under the

bill. Also, in certain of these areas, as well as in portions of the boundary waters canoe area, the use of motorboats is presently allowed and could continue under the provisions of the bill. In certain of the wilderness, wild, and primitive areas, the landing of aircraft at established locations is permitted and could continue under the bill. Motorized transportation by the public by ground vehicles is not permitted except on those roads in primitive areas presently open to public use and would not be permitted under the bill.

Roads.—Roads open to public use are not allowed in wilderness and wild areas. There are some such roads in some of the primitive areas. The existence of roads would have material bearing on the reviews and recommendations as to the suitability of primitive areas or portions thereof for continued inclusion in the wilderness system or exclusion therefrom. Under the provisions of S. 4, the existing roads in such areas could continue to be maintained and used pending the review and effectiveness of a recommendation for the area to remain in the wilderness system. Temporary roads which are essential in the control of fire, insects, and diseases or to meet the minimum requirements for the administration of the areas may now be permitted in these areas. The bill would continue to allow these.

We have the following comments and recommendations for amendments to the bill:

1. On page 4, in lines 19 and 20, reference is made to recommendations for the exclusion of portions of primitive areas of the national forests and "return to national forest land status" thereof. Primitive areas now designated in the national forest system have national forest status and exclusion of any portion thereof from the primitive area would not have the effect of returning it to national forest status. Therefore, the words "return to national forest land status" should be deleted and the words "administration as other national forest land" should be inserted in lieu thereof.

2. The provisions in section 3(b)(1) for the review of primitive areas would allow alterations of the boundaries of primitive areas recommended to be continued in the wilderness system, but the proviso beginning on line 23 on page 4 would not permit any primitive area recommended to be continued in the wilderness system to be larger than that particular area on the date of the act. Net additions to a few of the primitive areas might be desirable and we would prefer not to be so restricted. However, if such a restriction is considered essential we suggest that a leeway of up to 10 percent be allowed. This could be accomplished by adding after the word "ACT" and before the period in line 2 on page 5 the words "by more than 10 percent".

3. As worded, the provisions of section 9 for a Presidential Land Use Commission would apply only to the State of Alaska. We recognize that Federal ownership of about 99 percent of the land area of the State of Alaska presents a situation peculiar to that State, and have no particular objection to such a Commission in relation to Alaska. However, the scope of the duties of the Commission would go to all federally owned land in the State and not just to lands in wilderness-type areas.

We therefore question whether provision for such a Commission should be included in legislation which otherwise deals only with wilderness-type areas. We therefore suggest that all of section 9 on pages 19 and 20 be deleted and the succeeding sections be renumbered accordingly.

Section 11 would provide that nothing in the bill would supersede, modify, repeal, or otherwise affect the Federal Power Act. With this provision the Federal Power Commission could issue licenses for power projects on areas in the wilderness system without a determination by the President that the development of such projects within the particular areas would be more in the public interest than would their denial. Such a determination by the President would be required for other types of industrial and commercial uses. We recognize that under some circumstances the permitting of power developments in areas of the wilderness system might be more in the public interest than their denial. However, we believe that the same Presidential determination should be required with reference to them as would be required for other types of industrial and commercial developments. We of course believe that upon such Presidential determination the licenses for power projects should be issued by the Federal Power Commission in the same manner as such licenses are issued elsewhere. Therefore we recommend that section 11 on page 20 be deleted or modified by deleting the word "Nothing" in line 12 on page 20 and inserting in lieu thereof "Except as provided in section 6, nothing".

In conclusion, this Department has consistently recommended the enactment of wilderness legislation insofar as it would affect the national forests ever since our first report on such legislative proposals in the 85th Congress. We strongly believe that not only should wilderness areas be established and maintained in the national forests but also that enactment of S. 4 with the amendments recommended above would be desirable and progressive resources legislation and in the national interest.

The Budget Bureau advises that the enactment of legislation along the lines of S. 4 would be in accord with the President's program.

Sincerely yours,

ORVILLE L. FREEMAN.

FEDERAL POWER COMMISSION REPORT ON S. 4, 88TH CONGRESS

A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes

This bill, to be known as the "Wilderness Act," for the purpose of securing "for the American people of present and future generations the benefits of an enduring resource of wilderness," would establish, in accordance with certain procedures prescribed in the bill, a National Wilderness Preservation System comprised of such federally owned areas as are designated (subject to existing private rights) from the following lands:

(1) All areas within national forests classified on the effective date of the bill by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness, wild, primitive, or canoe." However, those areas classified as "primitive" would be reviewed by the Secretary within 10 years following enactment of the bill for the purpose of determining the suitability of each such area for preservation as wilderness. The Secretary would be required

to report annually his findings to the President, who in turn is to advise the Congress annually of his recommendations with respect to the continued inclusion within the system, or the exclusion therefrom of each area reviewed during the year.[1]

(2) Each portion of a National Park or Monument embracing on the Act's effective date "a continuous area of five thousand acres or more without roads." However, any such wilderness status would be acquired only after a review of each such unit by the Secretary of the Interior within 10 years and a recommendation annually by the President to the Congress that particular areas reviewed during the preceding year should be incorporated into the system.[1]

(3) Such portions of previously established national wildlife refuges and game ranges as, within a 10-year period, the Secretary of the Interior and the President may recommend annually for incorporation into the system.[1]

(4) Privately owned lands within any portion of such system under the jurisdiction of the Secretary of Agriculture or the Secretary of Interior, and acquired by either Secretary, subject to the approval of any necessary appropriations by the Congress; and lands acquired for preservation as wilderness through gift or bequest to the respective Secretaries.

This Commission's interest in the bill arises from the fact that it would set up a wilderness system embracing lands and powersites having existing and potential power value subject to the Commission's authority under part I of the Federal Power Act. Section 4(e) of the Power Act (16 U.S.C. 797) provides that licenses shall be issued within reserved lands of the United States "only after a finding by the Commission that the license will not interfere or be inconsistent with the purpose for which such reservation was created or acquired * * *." In addition, the licenses contain such conditions as are deemed necessary for the adequate protection and utilization of the reserved lands involved.

Under section 24 of the Federal Power Act (16 U.S.C. 818) any lands of the United States included in a proposed project "shall from the date of filing of the application therefor be reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the Commission or by Congress." In addition to reservations effected under this provision of the Power Act, other lands of the United States have been reserved or withdrawn from time to time for power purposes under other statutes, and in the future lands may be reserved pursuant to section 24 or under other statutes.

Based upon the best available information concerning primitive areas, the hydroelectric generating capacities of the sites, licensed and potential, which would be affected in those areas are as follows:

	Kilowatts
Capacity under license:	
Existing	878, 300
Under construction	157, 500
Other potential capacity	3, 006, 300
Total	4, 042, 100

[1] Under the provisions of sec. 3(f), each recommendation made by the President would take effect only upon the day after adjournment sine die of the first complete session of the Congress following the date or dates upon which the recommendation was received by the House and Senate, but only if prior to such adjournment neither the Senate nor the House shall have approved a resolution in opposition thereto.

The bill would not incorporate in the [illegible] effective date any lands presently within wildlife refuges or game ranges, but sets up procedures under which portions of such refuges and ranges may subsequently be incorporated into the system. It is assumed that when future recommendations are made to the Congress by the President to incorporate additional areas into the system, this Commission will be requested to advise the Congress as to the power potential affected by any such recommendations.

Section 11 of the bill states that nothing therein "shall be construed as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act (16 U.S.C. 192 825r)." Consequently, if this proposed legislation is enacted in its present form the Federal Power Commission's jurisdiction to issue licenses authorizing the use of lands in the Wilderness System for power purposes would not be affected, provided the above-discussed finding of consistency and noninterference can be made under Section 4(e) of the Power Act with respect to the use of reserved lands of the United States. In this connection, it should be noted that none of the bill's provisions would vacate or rescind any power withdrawal or power reservation created prior to its enactment. Furthermore, Sections 3(a) and 6(b) which specifically preserve existing private rights in lands placed in the Wilderness System, clearly would protect a licensee's right to continue the use of any such lands under authority of a license previously issued by the Commission.

The Commission favors the purpose of the bill to create a wilderness system and offers no objection to its enactment.

FEDERAL POWER COMMISSION,
(Signed) JOSEPH C. SWIDLER,
Chairman.

MINORITY VIEWS ON S. 4

The signers of this minority report preface it with the reiteration that each and every one of us favors a wilderness system. We are in complete sympathy with the concept of preserving the primitive aspects of certain public lands.

Nevertheless, we who oppose enactment of S. 4 in its present form are convinced that this measure would deprive Congress of its constitutional authority over too much of the lands of the United States, would deny to all but an infinitesimal fraction of the people of this country—less than 2 percent—their rights to land which belongs to them all, and would put a brake on the development of the West, where most of the potential "wilderness" lies. We believe that enactment of the bill would nullify the very purpose it professes, "to secure for the American people of present and future generations the benefits of an enduring resource of wilderness," for we believe its effect would be to lock away from the use and enjoyment by the people of America great tracts of land and thus keep from them the benefits of recreation as well as other uses this land might afford them.

The proponents of S. 4 say they wish to preserve these "wilderness" areas for the people. How many people have the physical and financial resources to pack into these practically inaccessible areas? Only a handful at best. As a matter of fact, S. 4 is "class legislation" in that it proposes to set aside vast tracts of public land for the exclusive use of a small minority of well-endowed citizens, while excluding from its vaunted recreational delights the great numbers of citizens who probably need it most—those retired men and women who, having completed their contributions to their country, now have time to travel and see the natural beauties of that country, but who have not the physical stamina nor the rather considerable funds necessary to indulge in arduous, expensive pack trips; the families who want to take the children and drive into the country to enjoy the great outdoors; and all others except the favored few who can ride horses or hike for long distances. There is ample terrain already set aside as wilderness to accommodate these fortunate ones.

In recent years increasing public attention has been directed to certain segments of the national forests that have been designated as "wilderness," "wild," or "primitive." More than 14 million acres of lands in these categories have been officially set aside for more than 20 years and have remained unused or unknown by over 98 percent of the American people. Nevertheless, legislative proposals designed to add many million more acres, in S. 4 some 60 million, of untouchable lands and to create within this country a "wilderness system" have appeared with regularity, each with an "urgent" label tagged on it by its supporters. Although these bills have varied considerably in detail, they all seek congressional action blanketing into a "wilderness" system many millions of acres of public lands, the natural resources of which have never been inventoried.

While S. 4 as reported by this committee is a decided improvement over earlier bills, we feel not only that the legislation is premature with respect to including vast uninventoried areas, but that we could not, in any event, lend support to a bill dealing with such large areas of the public lands unless the bill were amended to allow Congress to retain an affirmative control over the inclusion of each separate area that would go into the wilderness system. The Constitution gives Congress exclusive power to dispose of and make rules respecting the property of the United States. To us this indicates affirmative action by Congress on any proposal to classify a tract of public land, so as to lock away thousands of acres of land and its resources, known and unknown, from use by the people of the United States. The courts have ruled that no appropriation of public land can be made for any purpose but by authority of Congress, and we are unalterably opposed to Congress giving away the authority to the executive branch of the Government or anyone else to do what is, in effect, equal in many respects to a disposition and is certainly at least a "rule" or "regulation" within the meaning of the Constitution.

MAIN FEATURES OF THE BILL

The bill would blanket into the wilderness system over 6 million acres of uninventoried national forest lands presently designated as "primitive," and make possible the inclusion of an estimated 22 million acres of lands presently contained in national parks, monuments, and other units of the national park system, and an estimated 24 million acres in wildlife refuges and game ranges. Within 10 years the desirability of having these areas, totaling approximately 52 million acres, made a permanent part of the wilderness system would be reviewed by the appropriate Secretary. This official would report to the President who would in turn make his recommendations to Congress. If, during one full session, neither House of Congress took action to disapprove any such recommendation, the areas included within such recommendation would become a permanent part of the wilderness system.

The appalling significance of this abdication of congressional authority over such a large portion of public lands becomes clear when viewed in connection with the act's prohibition within the wilderness system of commercial enterprise, permanent roads, use of motor vehicles, motorized equipment, or motorboats—and it is further stated that there shall be no—

> landing of aircraft nor any other mechanical transport or delivery of persons or supplies, nor any temporary roads, nor any structure of installation, in excess of the minimum required for the administration of the area for the purposes of this act * * *

(These prohibitions are subject to certain limited exceptions authorized by the President upon his determination that such expected uses in the specific area will—

> better serve the interests of the United States and the people thereof than will its denial.)

Stripped of their rich rhetorical raiment, these phrases mean simply land that is not used by man except to a very, very limited extent

by a very, very limited number of people. Granted that man does not live by bread alone, we submit that he cannot live by communion with nature alone either. He does need bread, and the citizens of the public land States should not be denied their right to develop the natural resources of their States, on which their economy—their bread—depends.

The bill defines "wilderness" in such nebulous but high-sounding terms as "an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain," "an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation * * * which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's works substantially unnoticeable; (2) has outstanding opportunities for solitude * * *."

CONGRESS LEFT IN A WILDERNESS

As noted, S. 4, as amended, provides that any time within 10 years, the President may recommend to Congress the permanent inclusion within the wilderness system of additional areas which now total approximately 52 million acres. His recommendation will then have the force of law if neither the Senate nor the House of Representatives approves a resolution rejecting such recommendation. This type of provision has been dubbed a "congressional veto" and as "negative approval" by Congress. It purports to be a safeguard against an unconstitutional delegation of express congressional powers and responsibilities with respect to the disposition of public lands. In the actual practices of Government, however, it clearly amounts to a disguised delegation of congressional authority without a hint of legislative standards. As such it is unquestionably a violation of the purpose of those provisions in the U.S. Constitution vesting in Congress the authority to dispose of and make all needful rules and regulations respecting federally owned property as well as the principle of separation of powers between Congress and the executive branch of Government.

Aside from any constitutional objections, the bill, by divesting both the House and Senate Interior Committees and Congress itself of any meaningful role in creating wilderness areas, and abdicating such authority to the executive branch, would represent extremely bad legislative policy. Logic and orderly procedure call for inventory, evaluation, and reclassification of the primitive areas to their highest use before Congress takes action with respect to them.

We are pleased that the committee amended S. 4 to provide for administrative public hearings and to require an opportunity for interested State, local, and Federal authorities to comment before the particular Secretary's recommendation is made. But such hearings and comments concerning unknown lands is not an adequate protection alone. There should also be a careful inventory and there should also be required congressional hearings.

THE BURDEN OF PROOF

A thoughtful consideration of the varied interests represented by people in the Western States who are dependent upon the multiple-use concept of management of public lands dictates that the burden of justifying the reservation of portions of those lands [illegible] purposes should be placed squarely upon those seeking such reservations. Once land is placed in a wilderness system, even though tentatively, it is reasonable to expect that enormous pressures will be exerted to prevent removal of any parts found after study to be primarily valuable for other purposes. An almost impossible burden of proof will be imposed by S. 4 upon those communities which see their future welfare and economic development completely dependent upon multiple use of public lands.

Actually under the restrictions imposed by the wilderness bill, it is doubtful that the potentialities of the areas concerned would ever be discovered. Who can say today what treasures will be found in any area tomorrow? Several decades ago the presence of uranium under the surface of the West was unknown, and in all probability it would not have been discovered there had the area been locked up in a "wilderness system."

It was only slightly more than a century ago that Daniel Webster, objecting to the annexation of the Oregon Territory, dismissed the area that now comprises 17 prosperous States as "a vast and worthless area." Speaking on the floor of the Senate he asked:

> What do we want of that vast and worthless area that region of savages and wild beasts, of deserts, of shifting sands and whirling winds, of dust, of cactus, of prairie dogs? To what use could we even put those endless mountain ranges? What could we do with the western coast of 3,000 miles, rockbound, cheerless, and uninviting?

That West the grandiloquent Daniel so arrogantly condemned today produces untold quantities of coal, oil, timber, and other riches. Tomorrow it may provide us with a substance as yet unguessed at but which will prove vital to the development of the West and the defense of our country.

The present absence of resource inventories of the areas bearing the classification "primitive" would combine with the restriction on exploration imposed by S. 4 to render practically meaningless the provisions of S. 4 for certain allowable exceptions to the ban on development in wilderness areas. Communities or individuals could apply to the President under this section for permission to carry on limited nonwilderness activities in predominantly wilderness areas. However, the dearth of factual data and the ironclad restrictions on obtaining such data would leave them virtually no way to justify their request.

Members of Congress from affected Western States find little consolation in the availability of the procedures of the Reorganization Act of 1949 in their efforts to get a "congressional veto" of a Presidential recommendation which would commit more acreage in their States to eternal wilderness. When the provisions of that act are carefully studied it must be concluded that the obstacles the congressional representatives of any one State would face in attempting to influence Congress to a veto would, for all practical purposes, be insurmountable. In fact, while the proponents of the device of negative review set forth in section 3(f) say it will avoid obstructionistic tactics, the fact is the majority party, whichever that might be, could assert procedural discipline so as to effectively prevent the

matter ever coming to the floor for a vote on a motion on the merits of the President's recommendation.

WHY THE ADDITIONAL 52 MILLION ACRES?

When there are almost 8 million acres of national forest lands which have been classified as wilderness, reasonable minds should inquire why the sense of urgency to persuade Congress to blindly dump into the wilderness system an additional 6 million acres of unclassified "primitive" lands in the national forests. Is there any immediate danger that "wilderness values" in primitive areas are being lost? Are these areas vulnerable to invasion by hordes of humanity: Is their continued preservation in their present state unprotected by law or adequate regulation? Quite the contrary, for as the Secretary of Agriculture has pointed out, these primitive areas were all established between 1930 and 1939, and they have been managed in accordance with the regulations applicable to wilderness areas ever since 1939. The argument has been made by advocates of immediate enactment of S. 4 that wilderness or primitive areas could be wiped out overnight by administrative action. No one has produced any tangible evidence that there is any likelihood of this happening. To make any such possibility even more remote, Congress recently gave official recognition to wilderness as an authorized use of national forest land in the Multiple Use Act of 1960.

Furthermore, is there urgent need for immediate congressional action to preserve the wilderness status of national park lands? No one will seriously dispute the fact that national park wilderness was assured in the act of 1916. According to Director Wirth, 90 percent of the national park system qualifies under a reasonable definition of wilderness and it is the National Park Service's plan to keep it that way. It should also be noted that the national wildlife refuges and game ranges were established for wildlife management purposes rather than for wilderness values.

THE WILDERNESS USE

We do not choose to engage in the arena of emotional controversy which, on the one hand, sees a "wilderness experience" as an equivalent of fine music and the other arts, or, on the other, sees the purpose of the wilderness system as being designed to keep people out. That there are recreational values in wilderness areas, we feel is beyond dispute. There is a wide divergence of opinion, however, upon both the question of the extent of the demand for this type of recreation for our expanding population, and the amount of land that can and should be preserved to meet such needs consistent with other justifiable demands upon our public lands. While it may be conceded that 9 out of 10 who visit our national parks choose to stay within close proximity to at least meager traces of civilization, roads, and automobiles, how many of those who venture away from the roads and beaten paths must go as far as 1 mile, 5 miles, or 25 miles into wilderness to enjoy a wilderness-type recreation? How does the demand for this type of recreation compare with other varied types of outdoor recreational activities that have been expanding so rapidly in our Western States? It would seem that the marshaling of all pertinent facts bearing upon these issues as to any given parcel of public land would be regarded as an imperative necessity before any [illegible] containing unknown natural resources are dedicated to such purpose.

THE ORRC REPORT

In the minority views to S. 174, 87th Congress, it was suggested that prudence dictated we await the report of the Outdoor Recreation Review Commission, which was studying the wilderness situation, among others. Time has proven the wisdom of that suggestion for S. 4 is inconsistent in many respects with the results of that report.

The ORRC report recommends, as we do, congressional action in this field. But it does not recommend a bill like former S. 174, of which the Commission was well aware and which was virtually identical with S. 4. It does not necessarily recommend inclusion in a wilderness system of as much acreage as would be included by S. 4. It does not necessarily recommend the inclusion of any uninventoried lands, as would result under S. 4. It does not recommend a congressional abdication as effected by section 3(f) of S. 4.

It does recommend: "*Congress* should enact legislation providing for the establishment and management of *certain* primitive areas * * * as 'wilderness areas.'" [Emphasis supplied.] We agree that Congress should be the determining arm of government and we agree only certain of the primitive areas should be included in a wilderness system.

The ORRC report also reflects the following findings, principles, and recommendations.

> Recreation seekers themselves may generate demands for facilities and services that change the character of wilderness areas.
>
> Across the country considerable land is now available for outdoor recreation, but it does not effectively meet the need.
>
> Over a quarter billion acres are public designated recreation areas. However, either the location of the land, or restrictive management policies, or both, greatly reduce the effectiveness of the land for recreation use by the bulk of the population. Much of the West and virtually all of Alaska are of little use to most Americans looking for a place in the sun for their families on a weekend when the demand is overwhelming. At regional and State level, most of the land is where people are not. Few places are near enough to metropolitan centers for a Sunday outing. The problem is not one of total acres but of *effective* acres [their emphasis].
>
> Outdoor recreation is often compatible with other resource uses.
>
> Fortunately, recreation need not be the exclusive use of an area, particularly the larger ones. Recreation can be another use in a development primarily managed for a different purpose * * *.

Effective use of all our land for the greatest good for the greatest number, and the compatibility of recreation with other uses, appear as major themes of the ORRC report. We believe S. 4 would be incompatible with those themes.

Literally hundreds of witnesses have appeared and testified before this committee on S. 4 and earlier wilderness measures, yet there has been a failure of the numerous proponents of such legislation to produce any satisfactory evidence of substantial injury or threatened injury to the wilderness values of the areas included within S. 4. There has not been the slightest suggestion that existing administrative regulations protecting wilderness are breaking down. It has not been demonstrated that the recreational appetites of any sizable segment of our population have taken a sudden shift to wilderness. Why, then, the "sense of urgency" which has surrounded this legislation?

The explanation for this urgency given by the Secretary of the Interior was that "further delay can only open up additional problems which will make enactment of legislation even more difficult * * *." What are these additional problems which will interfere with later passage of sound wilderness legislation? Could they result from factual data likely to come to light as we gain more knowledge about our vast undiscovered land resources? Surely such problems do not arise from any contemplated relaxation of administrative regulations protecting the status quo in wilderness type areas.

We feel that the "sense of urgency" that lies behind the drive for enactment of this legislation is artificial and fictitious. We do not attempt to challenge the motives of our colleagues who sincerely support this legislation, but we firmly believe that the "problems which will make enactment of [such] legislation even more difficult" in the event of further delay are among the following:

1. An analysis of the nature of uninventoried parcels compared with the principles of the ORRC report will disclose that the areas presently classified as wild, wilderness, or canoe are more than adequate to meet the recreational needs of those rugged few who who seek the solitude of these areas.

2. Further administrative study of many primitive areas will likely disclose that they are not all of true wilderness quality or will produce insufficient justification to support affirmative action by Congress incorporating such areas into a wilderness system in an orderly fashion, area by area.

3. That any further efforts to compile inventories of the total natural resources within primitive areas or game ranges and refuges could upset the unproven premise that wilderness is the highest type of use to which these areas could or should be dedicated.

Any of these three possibilities justifies a longer look and affirmative action by Congress as to each parcel.

THE IMPACT ON WESTERN STATES

In effecting a permanent incorporation into the wilderness system of an area of many thousand or possibly hundreds of thousands of acres of public land, a positive approach requiring affirmative action by Congress is not only the constitutional approach, it is not only sound legislative policy, but such approach is imperative as applied to the varied factors and influences affecting the public lands which are located almost entirely in our Western States. The economy and the foundation for future growth and development of these Western States are largely dependent upon the production of minerals, oil and gas, and forest products as well as grazing, tourism, and other commercial recreational activities within the public lands located within their borders. Well over 50 percent of the land area of the 11 Western States and Alaska is in Federal ownership or management. The total population of these States is expected to increase more than 25 percent during the decade of the 1960's.

In looking to the possible impact of S. 4 upon these 12 States, we find that more than 90 percent of the land areas affected by S. 4 are located in these 12 States. The extent to which the land areas of these States would be affected by S. 4 is clearly illustrated by the following table:

Proportion of Federal lands in 11 Western States and Alaska which would be reserved for single-purpose use by S. 4

	Federally owned land (acres)	Percent of State's total land area	Federally owned land committed by S. 4 to single use (acres)	Percent of Federal lands committed to single purpose use by S. 4
Alaska	362, 194, 000	99. 1	25, 885, 978	7. 1
Arizona	32, 396, 000	44. 6	3, 752, 927	11. 6
California	45, 071, 000	44. 9	5, 792, 274	12. 9
Idaho	34, 050, 000	64. 3	3, 129, 125	9. 2
Colorado	24, 156, 000	36. 3	1, 329, 125	5. 5
Montana	27, 815, 000	29. 8	4, 196, 007	15. 1
Nevada	60, 726, 000	86. 4	3, 287, 909	5. 4
New Mexico	27, 300, 000	35. 1	1, 389, 837	5. 1
Oregon	31, 580, 000	51. 2	1, 355, 163	4. 3
Utah	36, 466, 000	69. 2	630, 000	1. 7
Washington	12, 666, 000	29. 6	2, 615, 390	20. 6
Wyoming	30, 219, 000	48. 4	4, 770, 652	15. 8

The official concern of these States over wilderness legislation has been demonstrated through resolutions, memorials, and letters from the governmental officials of those States. Either the legislatures or other officials having jurisdiction over natural resources of the following States have taken a stand against the restrictive provisions of S. 4 or a similar bill in the 87th or 86th Congresses: Alaska, Arizona, California, Colorado, Idaho, Nevada, New Mexico, Utah, Washington, and Wyoming. The State house of representatives in Oregon passed a resolution to like effect, whereas no official position of the State of Montana has been communicated to Congress.

A VITAL AMENDMENT NEEDED

We have deep concern over the provisions of S. 4 which would initially blanket into a wilderness system millions of acres of public lands which have never been inventoried to determine if their highest and best, and only use is as wilderness. Nevertheless, we feel that our fears could be largely laid to rest by adoption of one simple amendment to section 3(f) of the bill so as to provide that before any recommendation of the President made in accordance with that section shall take effect, Congress shall approve a concurrent resolution expressing itself in favor of such recommendation.

We are heartily in favor of such an amendment, and we strongly urge that S. 4 not be adopted without this, or a comparable amendment. At the public hearings on S. 4, the overwhelming majority of witnesses urged the adoption of such an amendment.

A similar experience with unwise delegation of congressional authority resulting in later remedial legislation to recapture this authority was testified to at page 49 of the printed hearings on S. 4.

We think past experience and the overwhelming weight of testimony compels the conclusion that our suggested amendment is necessary.

CONCLUSION

We here summarize the reasons we believe the claimed virtues of S. 4 are refuted by fact and reason.

It is claimed that no cost is involved. This is true in the sense no additional purchases of land are provided for, but the cost to the West and the whole Nation in preventing development of our resources, in denying recreational utilization of excessive areas by the great majority of the public, and by possible deprivation of strategic defense materials is incalculable.

It is claimed that the wilderness system will not affect the economic arrangements of communities because it will only preserve the status quo. But the status quo of the use of these lands will cause economic hardship when considered against the background of burgeoning population, the denial of the ability to tap new resources for these populations, the limitations on the local employment level resulting from the closed door to expansion, and the exhaustion of presently available resources.

It is claimed the recreation values of wilderness are great. The truth is they are not great quantitatively to the extent of S. 4 for the reason so few can or do use the wilderness. Also, they are not great when compared with more complete recreational uses of the lands which could be made under different management principles. We favor some wilderness for the few people who enjoy it but we do not subscribe to the theory "if a little is good then a lot more is better."

It is claimed that the ORRC report supports S. 4. This is not so for the reason that the findings and principles enunciated by that report, as outlined above, only support our contention that some wilderness is needed but the ORRC report does not say that we need as much as S. 4 would provide nor does it recommend the congressional abdication of control over uninventoried areas.

It is claimed there is a need for immediate action in the form of S. 4. There is no evidence that prejudice to either existing inventoried or uninventoried wilderness type areas will result unless S. 4 becomes law. All the public lands which would be affected are under adequate present protection from abuse. The fact is that a greater hazard to the interests of a greater number, indeed the whole Nation, might flow from the too hasty and improvident blanketing-in of uninventoried lands.

It is claimed that the limited congressional negative-review provided by section 3(f) is necessary to prevent obstructionist tactics which would result in a frustration of the will of the Congress. We submit that if such a risk exists then the remedy is to change the rules by which the two Houses of Congress operate upon all legislation, but it is not proper to single out this special situation for separate treatment. Further, the procedural device embodied in section 3(f) is just as susceptible of abuse in that it is possible thereunder effectively to assert majority party procedural control over the matter coming to the floor. Even if the matter comes to the floor it would then be possible to curtail the presentation of the case against the Executive recommendation to a few minutes. S. 4, section 3(f) contains more evils than it seeks to overcome affirmative action by the Congress is the best way yet determined for carrying out our function under the Constitution.

Finally, it is claimed that the objections to this bill have lessened in scope since the report on the predecessor bill, S. 174, was filed. The fact is that the minority views of today remain in substance the same as were made to S. 174. What has come to be is a better understanding by many of the nature of our objections and a growing awareness of their validity.

GORDON ALLOTT.
LEN B. JORDAN.
PETER H. DOMINICK.

Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

[Report No. 109]

IN THE SENATE OF THE UNITED STATES

JANUARY 14 (legislative day, JANUARY 9), 1963

Mr. ANDERSON (for himself, Mr. KUCHEL, Mr. HUMPHREY, Mr. JACKSON, Mr. CHURCH, Mr. LAUSCHE, Mr. DOUGLAS, Mr. WILLIAMS of New Jersey, Mr. RANDOLPH, Mr. CLARK, Mr. PROXMIRE, Mrs. NEUBERGER, Mr. METCALF, Mr. MCGOVERN, Mr. BREWSTER, Mr. YARBOROUGH, Mr. LONG of Missouri, Mr. MUNDT, Mr. NELSON, Mr. HART, Mr. MORSE, Mr. KEATING, Mr. MCINTYRE, Mr. RIBICOFF, and Mr. BREWSTER) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

APRIL 4, 1963

Reported by Mr. CHURCH (for Mr. ANDERSON), with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

88TH CONGRESS
1ST SESSION
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WILDERNESS SYSTEM ESTABLISHED

STATEMENT OF POLICY

SEC. 2. (a) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States and its possessions except those that are designated for preservation and protection in their natural condition. It is accordingly declared to be the policy of the Congress of the United States to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas in the United States and its possessions to be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

DEFINITION OF WILDERNESS

(b) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a

visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's works substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

National Wilderness Preservation System

EXTENT OF SYSTEM

SEC. 3. (a) The National Wilderness Preservation System (hereafter referred to in this Act as the wilderness system) shall comprise (subject to existing private rights) such federally owned areas as are established as part of such system under the provisions of this Act.

NATIONAL FOREST AREAS

(b) (1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the

Forest Service as wilderness, wild, primitive, or canoe: *Provided*, That the areas classified as primitive shall be subject to review as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review, in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the continued inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided*, That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be continued in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value: *Provided further*, That following such exclusions and additions any primitive area recommended to

be continued in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the continued inclusion in the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided,* That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a part of the wilderness system and shall be administered as other national forest lands: *And provided further,* That, primitive areas with respect to which recommendations are submitted to Congress on the eighth, ninth, and tenth years of the review period herein provided shall retain their status as a part of the wilderness system until the expiration, in respect to each area, of a full session of Congress, two years for resubmission of revised recommendations to Congress by the President, and, if so resubmitted, until the expiration of a full session of Congress thereafter. Recommendations on all primitive areas not previously submitted to the Congress shall be made during the tenth year of the review period. Any primitive area, or portion thereof, on which a recommendation for continued inclusion in the wilderness system has not become

effective within fourteen years following the enactment of this Act shall cease to be a part of the wilderness system and shall be administered as other national forest land.

(2) The purposes of this Act are hereby declared to be within and supplemental to but not in interference with the purposes for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple Use-Sustained Yield Act of June 12, 1960, Public Law 86–517 (74 Stat. 215).

NATIONAL PARK SYSTEM AREAS

(c) (1) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, each portion of each park, monument, or other unit in the national park system which on the effective date of this Act embraces a continuous area of five thousand acres or more without roads. Within ten years after the effective date of this Act the Secretary of the Interior shall review the units of the national park system and shall report his recommendations for the incorporation of each such portion into the wilderness system to the President. Before the convening of Congress each year, the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the incorporation into the wilderness system of each such portion for which review has been completed in the preceding year,

together with maps and definitions of boundaries. The recommendation of the President with respect to each such portion shall become effective subject to the provisions of subsection (f) of this section.

(2) The Secretary of the Interior shall include, as part of his recommendations to the President under the provisions of this subsection, a description of the parts of each park, monument, or other unit submitted which should be reserved for roads, motor trails, buildings, accommodations for visitors, and administrative installations. Such parts shall be determined in accordance with the procedures for rulemaking under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), except that the public notice required under such section shall be at least ninety days prior to the determination proceedings. No designation of an area for roads, motor trails, buildings, accommodations for visitors, or administrative installations shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (39 Stat. 535; 16 U.S.C. 1 and following). The accommodations and installations in such designated areas shall be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural condition. Further, the inclu-

sion of any area of any park, monument, or other unit of the national park system within the wilderness system pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such area in accordance with such Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 and following); section 3(2) of the Federal Power Act (16 U.S.C., sec. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C., sec. 461 and following).

NATIONAL WILDLIFE REFUGES AND GAME RANGES

(d) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, such portions of the wildlife refuges and game ranges established prior to the effective date of this Act under the jurisdiction of the Secretary of the Interior as he may recommend for such incorporation to the President within ten years following the effective date of this Act. Before the convening of Congress each year the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the incorporation into the wilderness system of each area recommended for such incorporation by the Sec-

retary of the Interior during the preceding year, together with maps and definitions of boundaries. The recommendation of the President with respect to each area shall become effective subject to the provisions of subsection (f) of this section.

MODIFICATION OF BOUNDARIES

(e) Any proposed minor modification or adjustment of boundaries of any portion of the wilderness system established in accordance with this Act shall be made by the appropriate Secretary after public notice of such proposal by publication in a newspaper having general circulation in the vicinity of such boundaries and public hearing to be held in such vicinity not less than ninety days after such notice if there is sufficient demand during such ninety days for such hearing. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective subject to the provisions of subsection (f) of this section.

EFFECTIVE DATE OF PRESIDENT'S RECOMMENDATIONS

(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect

upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment neither the Senate nor the House of Representatives shall have approved a resolution declaring itself opposed to such recommendation: *Provided*, That in the case of a recommendation covering two or more separate areas, such resolution of opposition may be limited to one or more of the areas covered, in which event the balance of the recommendation shall take effect as before provided: *Provided further*, That where a resolution of opposition to any such recommendation has been introduced, a hearing thereon shall be held within thirty days by the committee to which such resolution has been referred. Any such resolution shall be subject to the procedures provided under the provisions of sections 203 through 206 of the Reorganization Act of 1949 (5 U.S.C., secs. 133z–12—133z–15) for a resolution of either House of Congress.

EFFECT OF PUBLIC NOTICE OF PROPOSED ADDITION TO WILDERNESS SYSTEM

(g) Public notice when given by either the Secretary of the Interior or the Secretary of Agriculture that any area is to be proposed under the provisions of this Act for incorporation as part of the wilderness system shall segregate

such area from any or all appropriation under the public land laws to the extent deemed necessary by such Secretary. Such segregation shall terminate (1) upon rejection of such proposal by the President, (2) upon approval by the Senate or the House of Representatives of a resolution opposing the incorporation of such area in the wilderness system, or (3) five years after the date of such notice if the proposal to incorporate such area as part of the wilderness system has not been submitted to both Houses of Congress prior to the expiration of such five years.

ADDITION OR ELIMINATION NOT PROVIDED FOR IN THIS ACT

(h) The addition of any area to, or the elimination of any area from, the wilderness system which is not specifically provided for under the provisions of this Act shall be made only after specific affirmative authorization by law for such addition or elimination.

ADDITIONAL REQUIREMENTS WITH RESPECT TO RECOMMENDATIONS

~~(i) (1) The Secretary of Agriculture and the Secretary of the Interior shall each, in submitting any recommendations to the President with respect to any area's retention in or incorporation into the wilderness system, include with such recommendations the independent views of the Governor of the State in which such area is located with respect to the Secretary's recommendations generally, unless no reply is~~

~~received from such Governor within ninety days after such recommendations are submitted to him and his views thereon requested.~~

(i)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to any area's retention in or incorporation into the wilderness system—

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newpaper having general circulation in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: Provided, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the county, or in Alaska the borough, governing board of each county, or in Alaska the borough, in which the lands are located, the

United States Forest Service, the United States Soil Conservation Service, the Corps of Engineers of the United States Army, the Bureau of Reclamation, the Bureau of Mines, the United States Geological Survey, the Bureau of Sport Fisheries and Wildlife, the Federal Power Commission, the Rural Electrification Administration, and the Federal Communications Commission, inviting each to set forth its views at the hearing. It shall be the responsibility of each named Federal agency to submit its independent views concerning the designation of an area as "wilderness", giving an analysis of the comparative values that may be involved as between wilderness and that type of development or uses for which the Federal agency has administrative responsibility.

(2) Views submitted to the President under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to Congress with respect to such area.

STATE LANDS SURROUNDED BY WILDERNESS SYSTEM

(j) ~~In any case where State-owned land is completely surrounded by lands incorporated into the wilderness system such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned~~

~~land by such State and its successors in interest, or (2) vacant, unappropriated and unreserved land in the same State, not exceeding the value of the surrounded land, in exchange for the surrounded land.~~ *In any case where State-owned land is completely surrounded by land incorporated into the wilderness system, such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unappropriated, and unoccupied Federal land in the same State, equal in value to the surrounded land: Provided, That if the State does not reserve mineral rights in the surrounded land conveyed to the United States, the United States need not reserve mineral rights in the land conveyed to the State in exchange.*

ACQUISITION OF CERTAIN PRIVATELY OWNED LANDS WITHIN THE WILDERNESS SYSTEM

SEC. 4. The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire as part of the wilderness system any privately owned land within any portion of such system under his jurisdiction, subject to the approval of any necessary appropriations by the ~~Congress.~~ *Congress: Provided, however, That nothing in this Act shall be construed to confer a right of condemnation with respect to privately owned land within the boundaries of a wilderness area, or to impair any customary right or privilege hereto-*

fore enjoyed by the owners of such land, respecting access to it or to its ordinary use and maintenance.

GIFTS OR BEQUESTS OF LAND

SEC. 5. The Secretary of Agriculture and the Secretary of the Interior may each accept gifts or bequests of land for preservation as wilderness, and such land shall on acceptance become part of the wilderness system. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

USE OF THE WILDERNESS

OTHER PROVISIONS OF LAW

SEC. 6. (a) Nothing in this Act shall be interpreted as interfering with the purposes stated in the establishment of, or pertaining to, any park, monument, or other unit of the national park system, or any national forest, wildlife refuge, game range, or other area involved, except that any agency administering any area within the wilderness system shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character. Except as otherwise provided in this Act, the wilderness system shall be devoted to the public purposes of recrea-

tional, scenic, scientific, educational, conservation, and historical use. Subject to the provisions of this Act, all such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

PROHIBITION OF CERTAIN USES

(b) Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within the wilderness system, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such areas.

SPECIAL PROVISIONS

(c) The following special provisions are hereby made:

(1) Within the wilderness system the use of aircraft or motorboats where these practices have already become ~~well~~ established may be permitted to continue subject to such restrictions as the appropriate Secretary deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the appropriate Secretary deems desirable.

(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including but not limited to exploration for oil and gas), mining (including but not limited to the production of oil and gas), and the establishment and maintenance of reservoirs, water-conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (B) the grazing of livestock, where ~~well~~ established prior to the effective date of this Act with respect to areas established as part of the wilderness system by this Act, or prior to the date of public notice thereof with respect to any area to be recommended for incorporation in the wilderness system, shall be permitted to continue subject to such restrictions and regulations as are deemed necessary by the Secretary having jurisdiction over such area.

(3) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou roadless areas in the Superior

National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats. Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act, Public Law 539, Seventy-first Congress, July 10, 1930 (46 Stat. 1020), the Thye-Blatnik Act, Public Law 733, Eightieth Congress, June 22, 1948 (62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act, Public Law 607, Eighty-fourth Congress, June 22, 1956 (70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture. Modifications of the Boundary Waters Canoe Area within the Superior National Forest shall be accomplished in the manner provided in section 3 (e).

(4) Commercial services may be performed within the wilderness system to the extent necessary for activities which are proper for realizing the recreational or other purposes of the system as established in this Act.

(5) Any existing use or form of appropriation authorized or provided for in the Executive order or legislation

establishing any national wildlife refuge or game range existing on the effective date of this Act may be continued under such authorization or provision.

(6) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(7) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

(8) Nothing in this Act shall be construed to prevent, within national forest and public domain areas included in the wilderness system, any activity, including prospecting, for the purpose of gathering information about mineral or water resources or to prevent the completely subsurface use of such areas, if such activity or subsurface use is carried on, in a manner which is not incompatible with the preservation of the wilderness environment.

RECORDS AND REPORTS

SEC. 7. The Secretary of the Interior and the Secretary of Agriculture shall each maintain available to the public, records of portions of the wilderness system under his jurisdiction, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding, pending additions, eliminations, or modifications. Within a year following the

establishment of any area within the national forests as a part of the wilderness system, the Secretary of Agriculture shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made with the approval of such committees. Within a year following the establishment of any area in the national park system or in a wildlife refuge or range as a part of the wilderness system, the Secretary of the Interior shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives. Clerical and typographical errors in such legal descriptions and maps may be corrected with the approval of such committees. Copies of maps and legal descriptions of all areas of the wilderness system within their respective jurisdictions shall be kept available for public inspection in the offices of regional foresters, national forest supervisors, forest rangers, offices of the units of the national park system, wildlife refuge, or range.

CONTRIBUTIONS AND GIFTS

SEC. 8. The Secretary of the Interior and the Secretary of Agriculture are each authorized to accept private con-

tributions and gifts to be used to further the purposes of this Act. Any such contributions or gifts shall, for purposes of Federal income, estate, and gift taxes, be considered a contribution or gift to or for the use of the United States for an exclusively public purpose, and may be deducted as such under the provisions of the Internal Revenue Code of 1954, subject to all applicable limitations and restrictions contained therein.

LAND USE COMMISSIONS

SEC. 9. With respect to any State having more than 90 per centum of its total land area owned by the Federal Government on January 1, 1961, there shall be established for each such State a Presidential Land Use Commission (hereinafter called the Commission). The Commission shall be composed of five persons appointed by the President, not more than three of whom shall be members of the same political party, and at least three of whom shall be residents of the State concerned. The Commission shall advise and consult with the Secretary of the Interior and the Secretary of Agriculture on the current utilization of federally owned land in such State and shall make recommendations to the appropriate Secretary as to how the federally owned land can best be utilized, developed, protected, and preserved. Any recommendations made to the President by the Secretary of Interior or the Secretary of Agriculture and any

recommendations made to the Congress by the President pursuant to the provisions of this Act shall be accompanied by the recommendations and reports made with respect thereto by the Commission.

SEC. 10. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

SEC. 11. Nothing in this Act shall be construed as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act (16 U.S.C. 792–825r).

Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

[Report No. 109]

A BILL

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

By Mr. ANDERSON, Mr. KUCHEL, Mr. HUMPHREY, Mr. JACKSON, Mr. CHURCH, Mr. LAUSCHE, Mr. DOUGLAS, Mr. WILLIAMS of New Jersey, Mr. RANDOLPH, Mr. CLARK, Mr. PROXMIRE, Mrs. NEUBERGER, Mr. METCALF, Mr. MCGOVERN, Mr. BREWSTER, Mr. YARBOROUGH, Mr. LONG of Missouri, Mr. MUNDT, Mr. NELSON, Mr. HART, Mr. MORSE, Mr. KEATING, Mr. MCINTYRE, Mr. RIBICOFF, and Mr. BREWSTER

JANUARY 14 (legislative day, JANUARY 9), 1963
Read twice and referred to the Committee on Interior and Insular Affairs

APRIL 4, 1963
Reported with amendments

88TH CONGRESS
1ST SESSION

S. 4

IN THE SENATE OF THE UNITED STATES

FEBRUARY 20, 1963

Referred to the Committee on Interior and Insular Affairs and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. ALLOTT (for himself, Mr. BARTLETT, Mr. BENNETT, Mr. CANNON, Mr. DOMINICK, Mr. FONG, Mr. GOLDWATER, Mr. HAYDEN, Mr. JORDAN of Idaho, Mr. LAUSCHE, Mr. MECHEM, Mr. MUNDT, Mr. RANDOLPH, Mr. SIMPSON, and Mr. THURMOND) to the bill (S. 4) to establish a National Wilderness Preservation System, and for other purposes, viz: On page 9, line 23, strike out all through line 19 on page 10 and insert in lieu thereof the following:

(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United

States Senate and the House of Representatives; but only if prior to such adjournment Congress approves a concurrent resolution declaring itself in favor of such recommendation: *Provided*, That, in the case of a recommendation covering two or more separate areas, such resolution may be limited to one or more of the areas covered or parts thereof.

Amdt. No. 7

88TH CONGRESS
1ST SESSION

S. 4

AMENDMENT

Intended to be proposed by Mr. ALLOTT (for himself, Mr. BARTLETT, Mr. BENNETT, Mr. CANNON, Mr. DOMINICK, Mr. FONG, Mr. GOLDWATER, Mr. HAYDEN, Mr. JORDAN of Idaho, Mr. LAUSCHE, Mr. MECHEM, Mr. MUNDT, Mr. RANDOLPH, Mr. SIMPSON, and Mr. THURMOND) to the bill (S. 4) to establish a National Wilderness Preservation System, and for other purposes.

FEBRUARY 20, 1963

Referred to the Committee on Interior and Insular Affairs and ordered to be printed

88TH CONGRESS
1ST SESSION

S. 4

Calendar No. 88

IN THE SENATE OF THE UNITED STATES

APRIL 8, 1963
Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. ALLOTT (for himself, Mr. BARTLETT, Mr. BENNETT, Mr. CANNON, Mr. DOMINICK, Mr. FONG, Mr. GOLDWATER, Mr. HAYDEN, Mr. JORDAN of Idaho, Mr. LAUSCHE, Mr. MECHEM, Mr. MUNDT, Mr. RANDOLPH, Mr. SIMPSON, and Mr. THURMOND) to the bill (S. 4) to establish a National Wilderness Preservation System, and for other purposes, viz: On page 9, line 23, strike out all through line 19 on page 10 and insert in lieu thereof the following:

(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates

on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment Congress approves a concurrent resolution declaring itself in favor of such recommendation: *Provided*, That, in the case of a recommendation covering two or more separate areas, such resolution may be limited to one or more of the areas covered or parts thereof.

Amdt. No. 32 Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

AMENDMENT

Intended to be proposed by Mr. ALLOTT (for himself, Mr. BARTLETT, Mr. BENNETT, Mr. CANNON, Mr. DOMINICK, Mr. FONG, Mr. GOLDWATER, Mr. HAYDEN, Mr. JORDAN of Idaho, Mr. LAUSCHE, Mr. MECHEM, Mr. MUNDT, Mr. RANDOLPH, Mr. SIMPSON, and Mr. THURMOND) to the bill (S. 4) to establish a National Wilderness Preservation System, and for other purposes.

APRIL 8, 1963

Ordered to lie on the table and to be printed

Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

IN THE SENATE OF THE UNITED STATES

APRIL 8, 1963

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. ALLOTT to the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, viz:

On page 21, line 9, strike out all through line 4, page 22.

Amdt. No. 33

Amdt. No. 33 Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

AMENDMENT

Intended to be proposed by Mr. ALLOTT to the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

APRIL 8, 1963

Ordered to lie on the table and to be printed

Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

IN THE SENATE OF THE UNITED STATES

APRIL 8, 1963

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. ALLOTT to the bill (S. 4) to establish a National Wilderness Preservation System, and for other purposes, viz:

On page 3, line 23, strike out all through line 3 on page 6 and insert in lieu thereof the following:

"(b) (1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, or canoe: *Provided*, That the areas within the national forests classified as primitive may be included in the wilderness system as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review in accordance

Amdt. No. 34

with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. While being reviewed and until action is taken as provided by this subsection, primitive areas shall be administered so as to preserve their present status and condition. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided*, That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be included in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value: *Provided further*, That following such exclusions and additions any primitive area recommended to be included in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the inclusion in

the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided*, That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a primitive area and shall be administered as other national forest lands: *And provided further*, That primitive areas with respect to which recommendations are submitted to Congress on the eighth, ninth, and tenth years of the review period herein provided shall retain their status as primitive areas until the expiration, in respect to each area, of a full session of Congress, two years for resubmission of revised recommendations to Congress by the President, and, if so resubmitted, until the expiration of a full session of Congress thereafter. Recommendations on all primitive areas not previously submitted to the Congress shall be made during the tenth year of the review period. Any primitive area, or portion thereof, on which a recommendation for inclusion in the wilderness system has not become effective within fourteen years following the enactment of this Act shall cease to be a primitive area and shall be administered as other national forest land."

Amdt. No. 34 Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

AMENDMENT

Intended to be proposed by Mr. ALLOTT to the bill (S. 4) to establish a National Wilderness Preservation System, and for other purposes.

APRIL 8, 1963

Ordered to lie on the table and to be printed

Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

IN THE SENATE OF THE UNITED STATES

APRIL 8, 1963
Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. ALLOTT to the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, viz:

On page 10, line 14, strike the word "thirty" and insert in lieu thereof the word "five".

Amdt. No. 35

Amdt. No. 35 Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

AMENDMENT

Intended to be proposed by Mr. ALLOTT to the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

APRIL 8, 1963

Ordered to lie on the table and to be printed

Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

IN THE SENATE OF THE UNITED STATES

APRIL 8, 1963

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. ALLOTT to the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, viz:

On page 17, line 2, strike out the word "President" and substitute in lieu thereof the words "appropriate Secretary".

Amdt. No. 36

Amdt. No. 36 Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

AMENDMENT

Intended to be proposed by Mr. ALLOTT to the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

APRIL 8, 1963

Ordered to lie on the table and to be printed

Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

IN THE SENATE OF THE UNITED STATES

APRIL 8, 1963

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. ALLOTT to the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, viz:

On page 17, line 20, strike the words "restrictions and".

Amdt. No. 37

Amdt. No. 37 Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

AMENDMENT

Intended to be proposed by Mr. ALLOTT to the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

APRIL 8, 1963

Ordered to lie on the table and to be printed

Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

IN THE SENATE OF THE UNITED STATES

APRIL 8, 1963

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. ALLOTT to the bill (S. 4) to establish a National Wilderness Preservation System, and for other purposes, viz:

On page 17, line 1, strike out all through "(B)" on line 14 and insert in lieu thereof the following: "(2) Within national forests and public domain areas included in the wilderness system: (A) Notwithstanding any other provisions of this Act, until midnight, December 31, 1977, laws of the United States pertaining to mineral leasing and mining shall, to the same extent as applicable prior to the effective date of this Act, extend to all lands affected by this Act; subject, however, to such reasonable regulations as may be prescribed by the Secretary having jurisdiction

over the area consistent with the use of the land for mineral development and exploration, drilling. Subject to valid rights then existing, effective January 1, 1978, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from leasing under the mining laws and from leasing under the Mineral Leasing Act and all amendments thereto: *Provided*, That after December 31, 1977, the appropriate Secretary may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including but not limited to the exploration and production of oil and gas); (B) the appropriate Secretary may within a specific area and in accordance with such regulations as he may deem desirable authorize the establishment and maintenance of reservoirs, water-conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (C)".

Amdt. No. 38 Calendar No. 88

88TH CONGRESS
1ST SESSION

S. 4

AMENDMENT

Intended to be proposed by Mr. ALLOTT to the bill (S. 4) to establish a National Wilderness Preservation System, and for other purposes.

APRIL 8, 1963

Ordered to lie on the table and to be printed

88TH CONGRESS
1ST SESSION

S. 4

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 1963

Referred to the Committee on Interior and Insular Affairs

AN ACT

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED

STATEMENT OF POLICY

SEC. 2. (a) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all

areas within the United States and its possessions except those that are designated for preservation and protection in their natural condition. It is accordingly declared to be the policy of the Congress of the United States to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas in the United States and its possessions to be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

DEFINITION OF WILDERNESS

(b) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural

conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's works substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

National Wilderness Preservation System

EXTENT OF SYSTEM

SEC. 3. (a) The National Wilderness Preservation System (hereafter referred to in this Act as the wilderness system) shall comprise (subject to existing private rights) such federally owned areas as are established as part of such system under the provisions of this Act.

NATIONAL FOREST AREAS

(b) (1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, primitive, or canoe: *Provided,* That the areas classified as primitive shall be subject to review as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review, in accordance with paragraph C, sec-

tion 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the continued inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided*, That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be continued in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value: *Provided further*, That following such exclusions and additions any primitive area recommended to be continued in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the continued inclusion in the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f)

of this section: *Provided,* That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a part of the wilderness system and shall be administered as other national forest lands: *And provided further,* That, primitive areas with respect to which recommendations are submitted to Congress on the eighth, ninth, and tenth years of the review period herein provided shall retain their status as a part of the wilderness system until the expiration, in respect to each area, of a full session of Congress, two years for resubmission of revised recommendations to Congress by the President, and, if so resubmitted, until the expiration of a full session of Congress thereafter. Recommendations on all primitive areas not previously submitted to the Congress shall be made during the tenth year of the review period. Any primitive area, or portion thereof, on which a recommendation for continued inclusion in the wilderness system has not become effective within fourteen years following the enactment of this Act shall cease to be a part of the wilderness system and shall be administered as other national forest land.

(2) The purposes of this Act are hereby declared to be within and supplemental to but not in interference with the purposes for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and

the Multiple Use-Sustained Yield Act of June 12, 1960, Public Law 86-517 (74 Stat. 215).

NATIONAL PARK SYSTEM AREAS

(c) (1) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, each portion of each park, monument, or other unit in the national park system which on the effective date of this Act embraces a continuous area of five thousand acres or more without roads. Within ten years after the effective date of this Act the Secretary of the Interior shall review the units of the national park system and shall report his recommendations for the incorporation of each such portion into the wilderness system to the President. Before the convening of Congress each year, the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the incorporation into the wilderness system of each such portion for which review has been completed in the preceding year, together with maps and definitions of boundaries. The recommendation of the President with respect to each such portion shall become effective subject to the provisions of subsection (f) of this section.

(2) The Secretary of the Interior shall include, as part of his recommendations to the President under the provisions of this subsection, a description of the parts of each park,

monument, or other unit submitted which should be reserved for roads, motor trails, buildings, accommodations for visitors, and administrative installations. Such parts shall be determined in accordance with the procedures for rulemaking under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), except that the public notice required under such section shall be at least ninety days prior to the determination proceedings. No designation of an area for roads, motor trails, buildings, accommodations for visitors, or administrative installations shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (39 Stat. 535; 16 U.S.C. 1 and following). The accommodations and installations in such designated areas shall be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural condition. Further, the inclusion of any area of any park, monument, or other unit of the national park system within the wilderness system pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such area in accordance with such Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not

limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 and following); section 3(2) of the Federal Power Act (16 U.S.C., sec. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C., sec. 461 and following).

NATIONAL WILDLIFE REFUGES AND GAME RANGES

(d) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, such portions of the wildlife refuges and game ranges established prior to the effective date of this Act under the jurisdiction of the Secretary of the Interior as he may recommend for such incorporation to the President within ten years following the effective date of this Act. Before the convening of Congress each year the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the incorporation into the wilderness system of each area recommended for such incorporation by the Secretary of the Interior during the preceding year, together with maps and definitions of boundaries. The recommendation of the President with respect to each area shall become effective subject to the provisions of subsection (f) of this section.

MODIFICATION OF BOUNDARIES

(e) Any proposed minor modification or adjustment of boundaries of any portion of the wilderness system established in accordance with this Act shall be made by the appropriate Secretary after public notice of such proposal by publication in a newspaper having general circulation in the vicinity of such boundaries and public hearing to be held in such vicinity not less than ninety days after such notice if there is sufficient demand during such ninety days for such hearing. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective subject to the provisions of subsection (f) of this section.

EFFECTIVE DATE OF PRESIDENT'S RECOMMENDATIONS

(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only

if prior to such adjournment neither the Senate nor the House of Representatives shall have approved a resolution declaring itself opposed to such recommendation: *Provided*, That in the case of a recommendation covering two or more separate areas, such resolution of opposition may be limited to one or more of the areas covered, in which event the balance of the recommendation shall take effect as before provided: *Provided further*, That where a resolution of opposition to any such recommendation has been introduced, a hearing thereon shall be held within thirty days by the committee to which such resolution has been referred. Any such resolution shall be subject to the procedures provided under the provisions of sections 203 through 206 of the Reorganization Act of 1949 (5 U.S.C., secs. 133z-12—133z-15) for a resolution of either House of Congress: *And provided further*, That a motion to discharge the committee shall not be in order until the time for the committee to hold a hearing has elapsed.

EFFECT OF PUBLIC NOTICE OF PROPOSED ADDITION TO WILDERNESS SYSTEM

(g) Public notice when given by either the Secretary of the Interior or the Secretary of Agriculture that any area is to be proposed under the provisions of this Act for incorporation as part of the wilderness system shall segregate such area from any or all appropriation under the public land

laws to the extent deemed necessary by such Secretary. Such segregation shall terminate (1) upon rejection of such proposal by the President, (2) upon approval by the Senate or the House of Representatives of a resolution opposing the incorporation of such area in the wilderness system, or (3) five years after the date of such notice if the proposal to incorporate such area as part of the wilderness system has not been submitted to both Houses of Congress prior to the expiration of such five years.

ADDITION OR ELIMINATION NOT PROVIDED FOR IN THIS ACT

(h) The addition of any area to, or the elimination of any area from, the wilderness system which is not specifically provided for under the provisions of this Act shall be made only after specific affirmative authorization by law for such addition or elimination.

ADDITIONAL REQUIREMENTS WITH RESPECT TO RECOMMENDATIONS

(i) (1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to any area's retention in or incorporation into the wilderness system—

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general cir-

culation in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the county, or in Alaska the borough, governing board of each county, or in Alaska the borough, in which the lands are located, the United States Forest Service, the United States Soil Conservation Service, the Corps of Engineers of the United States Army, the Bureau of Reclamation, the Bureau of Mines, the United States Geological Survey, the Bureau of Sport Fisheries and Wildlife, the Federal Power Commission, the Rural Electrification Administration, and the Federal Communications Commission, inviting each to set forth its views at the hearing. It shall be the responsibility of each named Federal agency to submit its independent views concerning

the designation of an area as "wilderness", giving an analysis of the comparative values that may be involved as between wilderness and that type of development or uses for which the Federal agency has administrative responsibility.

(2) Views submitted to the President under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to Congress with respect to such area.

STATE LANDS SURROUNDED BY WILDERNESS SYSTEM

(j) In any case where State-owned land is completely surrounded by land incorporated into the wilderness system, such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unappropriated, and unoccupied Federal land in the same State, equal in value to the surrounded land: *Provided*, That if the State does not reserve mineral rights in the surrounded land conveyed to the United States, the United States need not reserve mineral rights in the land conveyed to the State in exchange.

ACQUISITION OF CERTAIN PRIVATELY OWNED LANDS WITHIN THE WILDERNESS SYSTEM

SEC. 4. The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire as part of the

wilderness system any privately owned land within any portion of such system under his jurisdiction, subject to the approval of any necessary appropriations by the Congress: *Provided, however,* That nothing in this Act shall be construed to confer a right of condemnation with respect to privately owned land within the boundaries of a wilderness area, or to impair any customary right or privilege heretofore enjoyed by the owners of such land, respecting access to it or to its ordinary use and maintenance.

GIFTS OR BEQUESTS OF LAND

SEC. 5. The Secretary of Agriculture and the Secretary of the Interior may each accept gifts or bequests of land for preservation as wilderness, and such land shall on acceptance become part of the wilderness system. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

USE OF THE WILDERNESS

OTHER PROVISIONS OF LAW

SEC. 6. (a) Nothing in this Act shall be interpreted as interfering with the purposes stated in the establishment of, or pertaining to, any park, monument, or other unit of

the national park system, or any national forest, wildlife refuge, game range, or other area involved, except that any agency administering any area within the wilderness system shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character. Except as otherwise provided in this Act, the wilderness system shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use. Subject to the provisions of this Act, all such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

PROHIBITION OF CERTAIN USES

(b) Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within the wilderness system, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such areas.

SPECIAL PROVISIONS

(c) The following special provisions are hereby made:

(1) Within the wilderness system the use of aircraft or motorboats where these practices have already become established shall be permitted to continue subject to such regulations as the appropriate Secretary finds necessary. In addition, such measures may be taken as are necessary in the control of fire, insects, and diseases, subject to such regulations as the appropriate Secretary finds necessary.

(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including but not limited to exploration for oil and gas), mining (including but not limited to the production of oil and gas), and the establishment and maintenance of reservoirs, water-conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (B) the grazing of livestock, where established prior to the effective date of this Act with respect to areas established as part of the wilderness system by this

Act, or prior to the date of public notice thereof with respect to any area to be recommended for incorporation in the wilderness system, shall be permitted to continue subject to such regulations as are deemed necessary by the Secretary having jurisdiction over such area.

(3) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou roadless areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats. Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act, Public Law 539, Seventy-first Congress, July 10, 1930 (46 Stat. 1020), the Thye-Blatnik Act, Public Law 733, Eightieth Congress, June 22, 1948 (62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act, Public Law 607, Eighty-fourth Congress, June 22, 1956 (70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agri-

culture. Modifications of the Boundary Waters Canoe Area within the Superior National Forest shall be accomplished in the manner provided in section 3 (e).

(4) Commercial services may be performed within the wilderness system to the extent necessary for activities which are proper for realizing the recreational or other purposes of the system as established in this Act.

(5) Any existing use or form of appropriation authorized or provided for in the Executive order or legislation establishing any national wildlife refuge or game range existing on the effective date of this Act may be continued under such authorization or provision.

(6) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(7) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

(8) Nothing in this Act shall be construed to prevent, within national forest and public domain areas included in the wilderness system, any activity, including prospecting, for the purpose of gathering information about mineral or water resources or to prevent the completely subsurface use of such areas, if such activity or subsurface use is carried on,

in a manner which is not incompatible with the preservation of the wilderness environment.

RECORDS AND REPORTS

SEC. 7. The Secretary of the Interior and the Secretary of Agriculture shall each maintain available to the public, records of portions of the wilderness system under his jurisdiction, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding, pending additions, eliminations, or modifications. Within a year following the establishment of any area within the national forests as a part of the wilderness system, the Secretary of Agriculture shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made with the approval of such committees. Within a year following the establishment of any area in the national park system or in a wildlife refuge or range as a part of the wilderness system, the Secretary of the Interior shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the

House of Representatives. Clerical and typographical errors in such legal descriptions and maps may be corrected with the approval of such committees. Copies of maps and legal descriptions of all areas of the wilderness system within their respective jurisdictions shall be kept available for public inspection in the offices of regional foresters, national forest supervisors, forest rangers, offices of the units of the national park system, wildlife refuge, or range.

CONTRIBUTIONS AND GIFTS

SEC. 8. The Secretary of the Interior and the Secretary of Agriculture are each authorized to accept private contributions and gifts to be used to further the purposes of this Act. Any such contributions or gifts shall, for purposes of Federal income, estate, and gift taxes, be considered a contribution or gift to or for the use of the United States for an exclusively public purpose, and may be deducted as such under the provisions of the Internal Revenue Code of 1954, subject to all applicable limitations and restrictions contained therein.

LAND USE COMMISSIONS

SEC. 9. With respect to any State having more than 90 per centum of its total land area owned by the Federal Government on January 1, 1961, there shall be established for each such State a Presidential Land Use Commission (hereinafter called the Commission). The Commission shall be

composed of five persons appointed by the President, not more than three of whom shall be members of the same political party, and at least three of whom shall be residents of the State concerned. The Commission shall advise and consult with the Secretary of the Interior and the Secretary of Agriculture on the current utilization of federally owned land in such State and shall make recommendations to the appropriate Secretary as to how the federally owned land can best be utilized, developed, protected, and preserved. Any recommendations made to the President by the Secretary of Interior or the Secretary of Agriculture and any recommendations made to the Congress by the President pursuant to the provisions of this Act shall be accompanied by the recommendations and reports made with respect thereto by the Commission.

SEC. 10. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

SEC. 11. Nothing in this Act shall be construed as

superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act (16 U.S.C. 792–825r).

Passed the Senate April 9, 1963.

Attest: FELTON M. JOHNSTON,
Secretary.

88TH CONGRESS
1ST SESSION

S. 4

AN ACT

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

APRIL 10, 1963
Referred to the Committee on Interior and Insular Affairs

88th Congress, 2d Session } SENATE { REPORT No. 1829

ESTABLISH A NATIONAL WILDERNESS PRESERVATION SYSTEM

AUGUST 19, 1964.—Ordered to be printed

Mr. ASPINALL, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany S. 4]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) entitled "An Act to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows:

In lieu of the matter inserted by the House amendment insert the following:

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

SEC. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the

and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel stated as as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

DEFINITION OF WILDERNESS

(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas within the national forests classified at least 30 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or nonsuitability for preservation as wilderness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as "primitive" within three years after the enactment of this Act, not less than two-thirds within seven years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as "wilderness" shall become effective only if so provided by an Act of Congress. Areas classified as "primitive" on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise. Any such area may be increased in size by the President at the time he submits his recommendations to the Congress by not more than five thousand acres with no more than one thousand two hundred and eighty acres of such increase in any one compact unit; if it is proposed to increase the size of any such area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit the increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value. Notwithstanding any other provisions of this Act, the Secretary of Agriculture may complete his review and delete such area as may be necessary, but not to exceed seven thousand acres, from the southern tip of the Gore Range-Eagles Nest Primitive Area, Colorado, if the Secretary determines that such action is in the public interest.

(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review every roadless area of five thousand contiguous acres or more in the national parks, monuments and other units of the national park system and every such area of, and every roadless island within, the national wildlife refuges and game ranges, under his jurisdiction on the effective date of this Act and shall report to the President his recommendation as to the suitability or nonsuitability of each such area or island for preservation as wilderness. The President shall advise the President of the Senate and the Speaker of the House of Representatives of his recommendation with respect to the designation as wilderness of each such area or island on which review has been completed, together with a map thereof and a definition of its boundaries. Such advice shall be given with respect to not less than one-third of the areas and islands to be reviewed under this subsection within three years after enactment of this Act, not less than two-thirds within seven years of enactment of this Act, and the remainder within ten years of enactment of this Act. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be con-

Interior with respect to the maintenance of roadless areas within units of the national park system.

(d)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: Provided, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (d) of this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective only in the same manner as provided for in subsections (b) and (c) of this section.

USE OF WILDERNESS AREAS

SEC. 4. (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained Yield Act of June 12, 1960 (74 Stat. 215).

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thye-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1983, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the

by this Act as "wilderness areas"; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: Provided, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1983, except for the valid claims existing on or before December 31, 1983. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1984, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

management of the Boundary Waters Canoe Area, [illegible] as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, stream, and portages: Provided, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

(6) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(7) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(8) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

SEC. 5. (a) In any case where State-owned or privately owned land is completely surrounded by national forest lands within areas designated by this Act as wilderness, such State or private owner shall be given such rights as may be necessary to assure adequate access to such State-owned or privately owned land by such State or private owner and their successors in interest, or the State-owned land or privately owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of Agriculture: Provided, however, That the United States shall not transfer to a State or private owner any mineral interests unless the State or private owner relinquishes or causes to be relinquished to the United States the mineral interest in the surrounded land.

(b) In any case where valid mining claims or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture is authorized to acquire privately owned land within the perimeter of any area designated by this Act as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress.

GIFTS, BEQUESTS, AND CONTRIBUTIONS

SEC. 6. (a) The Secretary of Agriculture may accept gifts or bequests of land within wilderness areas designated by this Act for preservation as wilderness The Secretary of Agriculture may also accept gifts or bequests of land adjacent to wilderness areas designated by this Act for preservation as wilderness if he has given sixty days advance notice thereof to the President of the Senate and the Speaker of the House of Representatives. Land accepted by the Secretary of Agriculture under this section shall become part of the wilderness area involved. Regulations

with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

(b) The Secretary of Agriculture or the Secretary of the Interior is authorized to accept private contributions and gifts to be used to further the purposes of this Act.

ANNUAL REPORTS

SEC. 7. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

And the House agree to the same.

WAYNE N. ASPINALL,
HAROLD T. JOHNSON,
COMPTON I. WHITE, JR.,
JOHN P. SAYLOR,
ROGERS C. B. MORTON,
Managers on the Part of the House.

HENRY M. JACKSON,
CLINTON P. ANDERSON,
FRANK CHURCH,
THOMAS H. KUCHEL,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT OF MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4) to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to the amendment to the text of the bill:

The amendment to S. 4 which was adopted in the House differed from the bill as it came from the Senate in many respects. The conference committee adopted the House version except for the following:

1. The House version definition of a wilderness area included a requirement that the area have at least 5,000 acres of land. The Senate version had no such minimum requirement. In recognition of the fact that some areas of less than 5,000 acres may be suitable for preservation as wilderness, the conference provided that a wilderness area shall have at least 5,000 acres of land *or* be of sufficient size to make practicable its preservation and use in an unimpaired condition.

2. S. 4 as passed by the House would have provided that all areas within national forests classified at least 60 days before the effective date as "wilderness," "wild," or "canoe" are designated as wilderness areas. The conference committee adopted a standard of administrative classification as "wilderness," "wild," or "canoe" 30 days before the effective date of the act in order to make certain that there will be no duplication in connection with reviews completed by the Secretary of Agriculture and the Chief of the Forest Service within the last month.

3. The conferees understand that Forest Service officials tentatively have decided that an undetermined amount of land, but not exceeding 7,000 acres, in the Gore Range-Eagles Nest Primitive Area, Colo., should be deleted and made available for Interstate Highway 70; in addition, the Denver Water Board has a plan for a tunnel in the general area. Under existing regulations the Chief of the Forest Service has been delegated authority to modify primitive areas and eliminate portions. Inasmuch as S. 4 as passed by the House would withdraw this authority from the Department of Agriculture, the conferees have provided that the Secretary of Agriculture may complete his review of the suitability or nonsuitability of the Gore Range-Eagles Nest Primitive Area for preservation as wilderness and delete up to 7,000 acres from its southern tip if he determines that such action is in the public interest. In this connection the conference committee noted that, if the President recommends that the Gore Range-Eagles Nest Primitive Area be designated as a wilderness area for inclusion in the wilderness system, he may recommend the addition of other lands, not now within the primitive area, to replace the 7,000 acres that may be deleted.

4. The provision relative to review of roadless portions of units of the national park and wildlife refuge systems was amended to

(1) make clear that the report to the President shall present the recommendations of the Secretary of the Interior as to the suitability or nonsuitability of roadless areas or islands for preservation as wilderness, and (2) provide for an orderly submission of recommendations during the 10-year period by requiring that not less than one-third of the areas be reviewed within 3 years after enactment, not less than two-thirds within 7 years after enactment, and the remainder within 10 years after enactment.

5. The conferees deleted the provision of the House version that would have required the President to identify the specific values in any particular area warranting its preservation as wilderness and requiring a recapitulation with each recommendation of other areas preserved by reason of the presence of the same or similar values.

6. The applicability of the mining and mineral leasing laws to wilderness areas designated by S. 4 was modified by the conference committee to expire December 31, 1983 (instead of 1989 as provided in S. 4 as passed by the House), with all minerals withdrawn effective January 1, 1984.

In consonance with the general philosophy of the act, the conference committee limited this provision to those lands designated by S. 4 as wilderness areas. However, the conference committee noted that, in the absence of compelling reasons to the contrary, a similar limitation of time should be placed on those primitive areas or portions of primitive areas that are in the future designated as wilderness areas. The conference committee expects that the mining industry and the agencies of the Department of the Interior will explore existing primitive areas so that when legislation pertaining to such primitive areas is considered at a later date Congress will have the benefit of professional technical advice as to the presence or absence of minerals in each area.

7. Both the House and Senate versions contain a provision designed to preserve the existing jurisdiction of the States respecting wildlife and fish. The conferees have adopted the Senate language on this point as more clearly stating that nothing in S. 4 shall be construed as affecting current jurisdiction or responsibilities of the States with respect to wildlife and fish in the national forests.

Both the House and Senate versions provide for the designation as wilderness of the San Gorgonio Wild Area, Calif., and its inclusion in the national wilderness preservation system. The proposed installation of facilities to provide skiing for large numbers of people was the subject of much discussion in the House Interior and Insular Affairs Committee during consideration of this legislation. That committee, by a vote of 14 to 11, voted to provide for the installation of facilities for large-scale skiing utilization but this provision was deleted by the House itself.

The conference committee considered the use of the San Gorgonio area and specifically considered amendments proposed by Congressman Johnson of California and Senator Kuchel pertaining to this matter. The conference committee refused to accept any of the alternate proposals. The conference committee was of the opinion that both the House and the Senate having voted to place the San Gorgonio Wild Area in the wilderness system, this should be done at this time. Nonetheless, it is noted that the matter is not considered as closed; and, if the people of California continue to desire a restudy of the area, they should make their views known to their Representa-

[illegible] to have legislation introduced at the start of the next Congress [illegible] hearings devoted solely to this matter.

WAYNE N. ASPINALL,
HAROLD T. JOHNSON,
COMPTON I. WHITE, JR.,
JOHN P. SAYLOR,
ROGERS C. B. MORTON,
Managers on the Part of the House.

○

Mr. BENNETT, Mr. YOUNG of North Dakota, Mr. WILLIAMS of Delaware, Mr. TALMADGE, Mr. GOLDWATER, Mr. JORDAN of North Carolina, Mr. SMATHERS, Mr. JOHNSTON, Mr. TOWER, and Mr. LONG of Louisiana):

S. 3. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

(See the remarks of Mr. MCCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON (for himself, Mr. KUCHEL, Mr. HUMPHREY, Mr. JACKSON, Mr. CHURCH, Mr. LAUSCHE, Mr. DOUGLAS, Mr. WILLIAMS of New Jersey, Mr. RANDOLPH, Mr. CLARK, Mr. PROXMIRE, Mrs. NEUBERGER, Mr. METCALF, Mr. MCGOVERN, and Mr. BREWSTER):

S. 4. A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (for himself, Mr. HUMPHREY, Mr. HILL, Mr. SPARKMAN, Mr. MORSE, Mrs. NEUBERGER, Mr. KEFAUVER, Mrs. SMITH, Mr. BYRD of West Virginia, Mr. GRUENING, Mr. HARTKE, Mr. EASTLAND, Mr. LONG of Missouri, Mr. BURDICK, Mr. BIBLE, Mr. RANDOLPH, Mr. WILLIAMS of New Jersey, Mr. DOUGLAS, Mr. PELL, Mr. BARTLETT, Mr. INOUYE, Mr. MCGEE, Mr. CLARK, Mr. DODD, and Mr. MCGOVERN):

S. 5. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. BEALL, Mr. BIBLE, Mr. BREWSTER, Mr. CASE, Mr. CLARK, Mr. DODD, Mr. ENGLE, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. KUCHEL, Mr. LONG of Missouri, Mr. MCCARTHY, Mr. NELSON, Mrs. NEUBERGER, Mr. PASTORE, Mr. PELL, Mr. RIBICOFF, Mr. SYMINGTON, and Mr. YOUNG of Ohio):

S. 6. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. WILLIAMS of New Jersey (for himself, Mr. CLARK, Mr. BARTLETT, Mr. NELSON, Mr. ENGLE, Mr. BREWSTER, Mr. RIBICOFF, Mrs. NEUBERGER, Mr. DOUGLAS, and Mr. PELL):

S. 7. A bill to amend title VII of the Housing Act of 1961 to facilitate the conservation of land for open space, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. MCNAMARA (for himself and Mr. HART):

S. 8. A bill to provide for a program of federal assistance for the construction of public elementary and secondary schools; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MCNAMARA when he introduced the above bill, which appear under a separate heading.)

My Mr. WILLIAMS of New Jersey:

S. 9. A bill to encourage the utilization, consistent with sound urban planning, of land included within urban renewal areas for parks, playgrounds, or other recreational facilities; to the Committee on Banking and Currency.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for himself, Mr. RANDOLPH, Mr. COOPER, Mr. BEALL, Mr. KEFAUVER, Mr. BREWSTER, and Mr. MORTON):

S. 10. A bill to provide for the establishment and administration of the Allegheny Parkway in the States of West Virginia and Kentucky and Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KEFAUVER (for himself, Mr. HUMPHREY, Mr. MORSE, Mr. MOSS, Mr. DOUGLAS, Mr. CHURCH and Mr. LONG of Louisiana):

S. 11. A bill to amend the Clayton Act as amended by the Robinson-Patman Act with reference to equality of opportunity; to the Committee on the Judiciary.

By Mr. RANDOLPH (for himself, Mr. BYRD of West Virginia, and Mr. BOGGS):

S. 12. A bill to amend the Randolph-Sheppard Vending Stand Act; to the Committee on Government Operations.

By Mr. FULBRIGHT (for himself and Mr. MCCLELLAN):

S. 13. A bill to authorize the Administrator of General Services to convey certain land situated in the State of Arkansas to the city of Fayettville, Ark.; to the Committee on Government Operations.

By Mr. RANDOLPH:

S. 14. A bill to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SYMINGTON (for himself and Mr. YARBOROUGH):

S. 15. A bill to establish a National Academy of Foreign Affairs; to the Committee on Foreign Relations.

(See the remarks of Mr. SYMINGTON when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON (for himself and Mr. LONG of Missouri):

S. 16. A bill to provide for the establishment of the Ozark National Rivers in the State of Missouri, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. SYMINGTON when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself and Mr. CASE):

S. 17. A bill to provide that certain contracts involving the performance of construction work on buildings or improvements intended to house activities of the Post Office Department are within the coverage of the Davis-Bacon Act; to the Committee on Labor and Public Welfare.

By Mr. RANDOLPH:

S. 18. A bill to change the name of Harpers Ferry National Monument to Harpers Ferry National Historical Park; to the Committee on Interior and Insular Affairs.

S. 19. A bill for the relief of James A. Cox; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. JACKSON, Mr. MILLER, Mr. METCALF, and Mr. AIKEN):

S. 20. A bill to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 21. A bill to amend title VI of the Merchant Marine Act, 1936, with respect to the operation of vessels as to which operating-differential subsidy is paid; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. CHURCH:

S. 22. A bill to release the right, title, or interest, if any, of the United States in certain streets in the village of Heyburn, Idaho, and to repeal the reverter in patent for public reserve; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CHURCH when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER (for himself and Mr. LONG of Louisiana):

S. 23. A bill to provide for the establishment of the Poverty Point National Monument in the State of Louisiana, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 24. A bill to authorize the Secretary of Agriculture to exchange certain lands at the Southern Regional Research Laboratory with the city of New Orleans, La., and the New Orleans City Park Improvement Association, for certain other lands adjacent to such laboratory; to the Committee on Agriculture and Forestry.

By Mr. MOSS:

S. 25. A bill to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes;

S. 26. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes; and

S. 27. A bill to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bills, which appear under separate headings.)

By Mr. SPARKMAN:

S. 28. A bill to establish a program of survival depots in order to provide subsistence for the large numbers of the civilian population of the United States who would be evacuated from the devastated areas in the event of attack on the United States; to the Committee on Armed Services.

By Mr. PROXMIRE:

S. 29. A bill for the relief of Nick Masonich;

S. 30. A bill for the relief of Nurisa Tozan, Mayrani Tozan, and Araksi Tozan; and

S. 31. An act for the relief of Sonja Dolata to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 32. A bill to provide for the establishment of a U.S. Foreign Service Academy; to the Committee on Foreign Relations.

By Mr. BYRD of West Virginia (for himself and Mr. RANDOLPH):

S. 33. A bill to provide for the establishment of the Coal River National Recreation Demonstration Area, in the State of West Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PEARSON:

S. 34. A bill to amend the Internal Revenue Code of 1954 to allow an additional exemption of $600 for a dependent child of the taxpayer who is a full-time student above the secondary level; to the Committee on Finance.

(See the remarks of Mr. PEARSON when he introduced the above bill which appear under a separate heading.)

By Mr. MCCARTHY (for himself, Mr. HUMPHREY, Mr. CARLSON, Mr. PROUTY, Mrs. SMITH, Mr. HART, Mrs. NEUBERGER, Mr. RANDOLPH, Mr. MOSS, Mr. YOUNG of North Dakota, and Mr. GRUENING):

S. 35. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried wid-

ESTABLISHMENT OF WATER RESOURCE CENTERS AT CERTAIN COLLEGES—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators HART, GRUENING, BURDICK, MCGEE, MORSE, ENGLE, MOSS, CARLSON, MANSFIELD, YARBOROUGH, LONG of Missouri, BAYH, JACKSON, HRUSKA, and BARTLETT were added as additional cosponsors of the bill (S. 2) to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research, introduced by Mr. ANDERSON (for himself and other Senators) on January 14, 1963.

WILDERNESS ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators YARBOROUGH, LONG of Missouri, MUNDT, NELSON, HART, MORSE, and KEATING were added as additional cosponsors of the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, introduced by Mr. ANDERSON (for himself and other Senators) on January 14, 1963.

REQUEST FOR MORNING HOUR—STATUS OF THE RULES

Mr. HUMPHREY. Mr. President, in light of the parliamentary situation faced in the Senate, and because of what is recognized as the constitutional matter involved, I ask unanimous consent that, without any prejudice to the rights of Senators to debate the rules, the Senate now proceed to a morning hour, for the introduction of bills and the transaction of other routine business.

The PRESIDENT pro tempore. Is there objection?

Mr. RUSSELL. Mr. President, reserving the right to object, let me point out that on yesterday I served notice that I thought we had gone far enough in this childish business of undertaking to propose that the situation existing in the Senate could in some way be changed by some ruling by the Chair or by the act of any one Senator. Certainly, no constitutional right would be affected in any such fashion. All these "reservations" and mumbo-jumbo and incantations of words about "affecting the rights of Senators," the laying on of hands, and the careful and meticulous precision with which these matters have been approached in about half of the instances, grow out of an advisory opinion by the previous Vice President of the United States which had absolutely no effect as a matter of law, and could not possibly affect the right of any Member of the Senate. Former Vice President Nixon, in handing down an advisory opinion, stated that, in his opinion, if the Senate proceeded for some time under the rules of the Senate, Senators would lose their right under the Constitution to move to change the rules. To me, that simply cannot be a correct statement of parliamentary law or any other kind of law; namely, that a Senator can lose his rights in the Senate because he proceeded under the rules.

I wish to point out that if that is true, the Senator from Minnesota [Mr. HUMPHREY] and the Senators associated with him have long since lost any right they had to claim any power under the Constitution of the United States, for during the few days the Senate has been in session they have followed the rules time and again without undertaking to obtain an agreement about protecting constitutional rights. Such rights cannot be affected by any action of a Presiding Officer. About half the time Senators have asked that all these rights be protected; the other half of the time they have proceeded under the rules of the Senate, without any Senator's saying anything on earth about any reservations.

I can point out a few of such occasions: It was pointed out that on the first day of this week, January 14, the Senate adjourned, so that on the following day there would be a morning hour. The Senate did adjourn; and on Tuesday, when the Senate convened after adjournment, the Senate had a morning hour. Let me read what the majority leader said; it appears on page 311 of the CONGRESSIONAL RECORD of Tuesday, January 15:

Mr. MANSFIELD. Mr. President, under the rule, there will be a morning hour. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

So at that point, one of the rules was recognized—and a most unusual rule, the rule of the morning hour; and the time limitation was placed at 3 minutes, without having any of the "protectors" of any imaginary constitutional rights interpose any objection whatever.

Mr. President, the morning hour is not mentioned in the Constitution of the United States; it is totally unknown to that document. But in the instance referred to we had a recognition of the morning hour and there was about 1 hour's procedure under the morning hour, without having any objection raised.

Then what happened? In the midst of the morning hour, the resolution in question was laid before the Senate, and the resolution is now the pending business. It came before the Senate only under rule VII of the Senate and the procedures outlined therein; but not one word was said about any protection of rights lest by proceeding under rule VII of the Senate we are likely to be bound in some mysterious manner, and our rights affected.

Then what happened? The Senator from Virginia spoke until 2 o'clock. The Chair then said:

The morning hour having expired, the resolution under consideration goes to the calendar, under the precedents of the Senate.

And the resolution did go to the calendar.

How is any constitutional question involved? All of it was done in following rule VII of the Senate; and the Senate proceeded without having any Senators rise and say, "We must protect our constitutional rights, and we cannot have this resolution go to the calendar."

Instead of that, the Senator from New Mexico [Mr. ANDERSON], the real author of the resolution, rose and said:

Under the rule, Mr. President—

Not under the Constitution—

I now move that the Senate consider my resolution.

All of that was done under rule VII of the Senate, and all of it was done without having champions of the gag rule dash in and throw a cloak of immunity about the procedure, by obtaining some kind of unanimous-consent agreement.

What happened further? A parliamentary inquiry was propounded—after careful assurance that it would not affect the Constitution of the United States—as to what would be the effect if the Senate adjourned, instead of taking a recess. The ruling made was that under the rules of the Senate—not under the Constitution—if the Senate adjourned, the resolution would go back to the calendar.

Thereupon, I believe, the distinguished Senator from Minnesota moved that the Senate take a recess.

Mr. President, a motion to recess is not known to the Constitution of the United States. It is known only to the rules of the Senate of the United States. It is found in rule XXII, the rule that is sought to be amended. Senators followed that rule very carefully without getting a great deal of assurance that by following that rule we would not lose any of our rights.

I refer to page 397 of the RECORD of yesterday. After ascertaining that a quorum was present, the majority leader rose and said:

Mr. MANSFIELD. Mr. President, I ask unanimous consent for a morning hour for the introduction of bills and the transaction of routine business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senate went into a morning hour yesterday without the fantasy of having to obtain protection under the rules. We got through it. If it were necessary to have all that protection, it was lost yesterday beyond redemption, because there was a morning hour, without any provision for protection against an imaginary evil that was lurking outside the Senate door about to dash in and overthrow the constitutional rights of Senators.

In a number of other instances we have proceeded under the rules. We have utilized rule VII on three or four different occasions. We have utilized rule VIII. We have utilized rule XIV. On the first day that subject was presented no Senator raised any objection. It was agreed that under the provisions of section 6 of rule XIV a single objection would carry the resolution over to another day. We followed the rules of the Senate to the letter. No Senator interposed any objection.

Mr. President, I do not like to be captious in objecting to the request, but if

prosperity was the enactment in 1956 of the Colorado River Storage Project Act, which is Public Law 485, 84th Congress. Among the participating projects authorized by this monumental legislation, which I had the honor to sponsor, was construction of the Glen Canyon Dam and Reservoir.

As construction of Glen Canyon Dam progressed, the Secretary of the Interior Stewart Udall initiated studies, in consultation with all of the diverse interests of the Colorado River Basin, to determine how Lake Powell could be filled with the least possible disruption of the many activities now dependent upon the flow of the river. The Secretary was faced with difficult decisions in formulating the filling criteria finally adopted. These decisions, made, as I have pointed out, only after the most searching study and exhaustive consultation with the varied Colorado River Basin interests, reflect impartial judgment based on expert advice, and are in the best interests of the Colorado Basin as a whole, I am confident.

Fortunately, the favorable runoff of the Colorado River during 1962 will result in almost ideal conditions for the initiation of storage in Lake Powell. With average or near average flows for the next few years the Upper Basin reservoirs can be filled with a minimum of effect on downstream interests.

The filling of Lake Powell, which will rival Hoover Dam and Lake Mead in size and capacity, together with the other Upper Basin storage reservoirs, will be another long step forward in unlocking the door to full development of the Upper Basin's water resources. In this respect the Upper Basin structures will serve, in effect, the same purposes that Hoover, Parker, and Davis Dams do for the Lower Basin. Together, these Upper and Lower Basin reservoirs will approach full control of the once-rampaging Colorado River.

In reaching this objective I sincerely hope that Secretary Udall may have the full cooperation of all basin interests and that the remaining development of the Colorado River Basin can proceed at full speed and in harmony and equity.

I am convinced that the printing, as a Senate document, of the sixth annual report on the status of the Colorado River Storage project and participating projects and the statement of the principles and criteria arrived at by the Secretary and his expert advisers for the filling of Glen Canyon Reservoir will be of value to the Congress and the Nation.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 72) was referred to the Committee on Rules and Administration, as follows:

Resolved, That there shall be printed as a Senate document the "Sixth Annual Report on the Status of the Colorado River Storage Project and Participating Projects," and "General Principles to Govern, and Operating Criteria for, Glen Canyon Reservoir (Lake Powell) and Lake Mead during the Lake Powell Filling Period," prepared by the Department of the Interior, with an introductory statement.

AMENDMENT OF RULE RELATING TO CLOTURE—AMENDMENT

Mr. PROUTY submitted an amendment, intended to be proposed by him, to the resolution (S. Res. 9) to amend the cloture rule of the Senate, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. ANDERSON. Mr. President, I ask unanimous consent to include among the cosponsors of S. 4, the wilderness bill, the junior Senator from Connecticut [Mr. RIBICOFF], and the inclusion of his name on the next printing of the bill.

I ask unanimous consent for inclusion of the name of the junior Senator from California [Mr. ENGLE] as a cosponsor of S. 20, the Bureau of Outdoor Recreation bill, on any reprint of that measure.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KEFAUVER. Mr. President, I ask unanimous consent that the name of our colleague from Wisconsin [Mr. NELSON] may be added as a cosponsor of the bill (S. 11) to amend the Clayton Act as amended by the Robinson-Patman Act with reference to equality of opportunity, on the next printing of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of January 16, 1963:

S. 287. A bill to amend the antitrust laws to prohibit certain activities of labor organizations in restraint of trade, and for other purposes: Mr. TOWER.

S. 288. A bill to prohibit strikes by employees employed in certain strategic defense facilities: Mr. THURMOND.

Authority of January 21, 1963:

S. 397. A bill to repeal the tax on transfer of silver bullion, and for other purposes: Mr. ALLOTT and Mr. GOLDWATER.

Authority of January 23, 1963:

S. 450. A bill to amend the Davis-Bacon Act, as amended; the Federal Airport Act, as amended; and the National Housing Act, as amended; and for other purposes: Mr. BARTLETT, Mr. GRUENING, Mr. WILLIAMS of New Jersey, Mr. METCALF, and Mr. INOUYE.

Authority of January 24, 1963:

S. 502. A bill to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam: Mr. CANNON.

AMENDMENT OF PUBLIC LAWS 815 AND 874, 81ST CONGRESS—EXTENSION OF TIME FOR BILL TO LIE ON THE DESK

Mr. GRUENING. Mr. President, in the absence of my colleague, the distinguished Senator from Utah [Mr. Moss], and at his request, I ask unanimous consent that the bill (S. 415) to amend Public Laws 815 and 874, 81st Congress, in order to extend for 1 year certain expiring provisions thereof, and for other purposes, introduced by him on January 22, 1963, be permitted to lie at the desk for an additional week through Monday, February 4, so as to permit those Senators who wish to do so to join with him in sponsoring this measure.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Edward M. Korry, of New York, to be Ambassador Extraordinary and Plenipotentiary to Ethiopia.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

NOTICE OF HEARING ON NOMINATION OF MANUEL F. L. GUERRERO TO BE GOVERNOR OF GUAM

Mr. ANDERSON. Mr. President, for the information of the Senate, I would like to announce that the Senate Committee on Interior and Insular Affairs has tentatively scheduled an open hearing on February 6 to consider the nomination of Manuel F. L. Guerrero to be Governor of Guam.

Any Member of Congress or other interested person wishing to testify at the hearing on this nomination is certainly welcome to do so.

The hearing will be held in room 3110 of the New Senate Office Building, beginning at 10 a.m.

I recognize that there are possibilities which might preclude the holding of the hearing. Nevertheless I make the announcement at this time.

NOTICE OF HEARING ON SENATE BILL 20, TO PROMOTE DEVELOPMENT OF EFFECTIVE PROGRAMS RELATING TO OUTDOOR RECREATION

Mr. ANDERSON. Mr. President, I would like to announce for the information of the Senate and other interested persons that the Senate Committee on Interior and Insular Affairs has scheduled a hearing on S. 20, a bill to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes, at 10 a.m. on February 5, in room 3110 of the New Senate Office Building.

Any Senator or other person wishing to testify at the hearing should notify the committee in order that he might be scheduled as a witness.

Again, I recognize that there may be objection by the majority leader to the holding of the hearing at that time. This announcement is made on the basis that the hearing may be held then.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc.,

shall be liable to the United States for such repayment to the same extent as the borrower. The provisions of section 625(e), relating to recovery of expenditures under certain conditions, shall apply in the case of any grant payment made under this title.

"Withholding of funds

"SEC. 811. (a) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the State agency designated in accordance with section 623(a)(1), finds (1) that the State agency is not complying substantially with the provisions required by section 807(a) to be contained in its plan, or (2) that any funds have been diverted from the purposes for which they were advanced, or (3) that any assurance given in an application filed under section 809 is not being or cannot be carried out, or (4) that there is a substantial failure to carry out plans and specifications approved by the Surgeon General under section 809, or (5) that adequate State funds are not being provided annually for the direct administration of the State plan, the Surgeon General may withhold further advances from all projects in the State, or from any project or projects affected by the default as he may determine to be appropriate under the circumstances, until the default has been corrected; and if it is not corrected he shall reduce, by the proper amount, the Federal share of the cost of the project affected by the withholding.

"(b) The provisions of section 632(b), relating to judicial review of action by the Surgeon General under section 632(a), shall be applicable to action by him under subsection (a) of this section.

"Administration; general provisions

"SEC. 812. (a) In administering this title the Surgeon General shall consult with the Federal Hospital Council. He is authorized to make such administrative regulations and perform such other functions as he finds necessary to carry out the provisions of this title. Any such regulations shall be subject to the approval of the Secretary.

"(b) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Surgeon General notwithstanding the provisions of any other law, shall maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required: *Provided,* That such financial transactions of the Surgeon General as the making of loans and vouchers approved by the Surgeon General in connection with such financial transactions shall be final and conclusive upon all officers of the Government.

"(c) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Surgeon General notwithstanding the provisions of any other law, may—

"(1) sue and be sued;

"(2) foreclose on any property or commence any action to protect or enforce any right conferred upon him by any law, contract, or other agreement, and bid for and purchase at any foreclosure or any other sale any property in connection with which he has made a payment pursuant to this title, and in the event of any such acquisition, the Surgeon General may, notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, complete, administer, remodel and convert, dispose of, lease and otherwise deal with, such property: *Provided,* That any such acquisition of real property shall not deprive any State or political subdivision thereof of its civil or criminal jurisdiction in and over such property or impair the civil rights under the State or local laws of the inhabitants on such property;

"(3) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any real property so acquired or owned;

"(4) sell or exchange at public or private sale, or lease, real or personal property, and sell or exchange any securities or obligations, upon such terms as he may fix;

"(5) obtain insurance against loss in connection with property and other assets held;

"(6) subject to the specific limitations in this title, consent to the modification, with respect to the time of payment of any installment of principal or interest, security, or any other term of any loan under this title, of any contract or agreement to which he is a party or which has been transferred to him pursuant to this title; and

"(7) include in any contract or instrument made pursuant to this title such other covenants, conditions, or provisions as he may deem necessary to assure that the purposes of this title will be achieved.

"(d) Section 3709 of the Revised Statutes shall not apply to any contract for services or supplies on account of any property acquired pursuant to this title if the amount of such contract does not exceed $1,000.

"(e) In administering this title, the Surgeon General, with the approval of the Secretary, is authorized to utilize the services and facilities of any executive department or agency in accordance with an agreement with the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon between the Secretary and the head of the department or agency furnishing them.

"(f) Except as otherwise specifically provided, nothing in this title shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any hospital or nursing home with respect to which any funds have been or may be expended under this title.

"Assistance in area planning

"SEC. 813. (a) In order to carry out more effectively his duties under the Public Health Service Act, the Surgeon General may make grants-in-aid on such terms and conditions and in such installments, and in advance or otherwise as he may determine, to States, political subdivisions, universities, hospitals, and other public and private nonprofit institutions or organizations, to assist in developing and publicizing comprehensive regional, metropolitan or local area plans for coordination of hospitals, nursing homes, and other health facilities, provided that such grants may be made only for the development of plans specifically certified to be needed by a State agency or agencies.

"(b) There is authorized to be appropriated for the purpose of this section the sum of $5,000,000 for the fiscal year beginning July 1, 1963, and the same sum for each of the three fiscal years thereafter."

TECHNICAL AMENDMENTS

SEC. 4. (a) Section 1 of the Public Health Service Act is amended to read:

"SEC. 1. Titles I to VIII, inclusive, of this Act may be cited as the 'Public Health Service Act'."

(b) Section 625(a) of such Act (42 U.S.C. 291h(a)) is amended by inserting at the end thereof: "No application shall be approved for the same project for which a payment has been made under title VIII, or for which an application for such a payment is pending."

(c) Section 632(b)(3) of such Act (42 U.S.C. 291j(b)(3)) is amended by striking out "sections 239 and 240 of the Judicial Code, as amended" and inserting in lieu thereof: "section 1254 of title 28, United States Code".

(d) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title VIII (as in effect prior to the enactment of this Act) as title IX, and by renumbering sections 801 through 814 (as in effect prior to the enactment of this Act), and references thereto, as sections 901 through 914.

WATER RESOURCES AND WILDERNESS BILLS—ADDITIONAL COSPONSOR

Mr. ANDERSON. Mr. President, I ask unanimous consent that the name of the junior Senator from Maryland [Mr. BREWSTER] may be added as a cosponsor of Senate bill 2, the water resources bill, and Senate bill 4, the wilderness bill, when those measures are printed again.

The PRESIDING OFFICER. Without objection, it is so ordered.

PENALTIES FOR IMPORTATION OF CERTAIN DANGEROUS DRUGS—ADDITIONAL COSPONSOR OF BILL

Mr. DODD. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 742) to prescribe criminal penalties for bringing certain dangerous drugs into the United States for illegal sale or use, the name of the senior Senator from California [Mr. KUCHEL] be added as a sponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

DESIGNATION OF O'MAHONEY LAKE AND RECREATIONAL AREA—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. DIRKSEN. Mr. President, some time ago the distinguished Senator from Wyoming [Mr. MCGEE] introduced a joint resolution (S.J. Res. 17), which would name a lake in Wyoming after our late distinguished colleague, Senator O'Mahoney.

I ask unanimous consent that on the next printing of the joint resolution my name be appended to it.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION AND JOINT RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following concurrent resolution and joint resolution:

Authority of February 14, 1963:

S. Con. Res. 15. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia: Mr. MCINTYRE and Mr. SCOTT.

Authority of February 18, 1963:

S.J. Res. 47. Joint resolution authorizing the expression of appreciation and the issuance of a gold medal to Eddie Cantor: Mr. BREWSTER, Mr. ENGLE, Mr. INOUYE, Mr. KEATING, Mr. LONG of Missouri, and Mr. WILLIAMS of New Jersey.

ed, the relief of the poor and dis-
and the underprivileged, the promo-
economic welfare and of public
The foundation is to be financed
ivate sources.
committee is advised and notes the
t the foundation will limit any solici-
of funds from the public at large to
campaign and that such campaign
minate no later than November 7,
he third anniversary of Mrs. Roose-
leath.
committee is of the opinion that the
n of this foundation is a worthy
to a woman of tireless energy and
n to her principles and to humanity.
ingly, the committee recommends
ble consideration of H.R. 4715, as
ed.

PRESIDING OFFICER. If there
further amendments to be pro-
, the question is on the engross-
of the amendments and the third
ng of the bill.
e amendments were ordered to be
ssed, and the bill to be read a third

e bill was read the third time, and
d.
e title was amended so as to read:
act to incorporate the Eleanor
evelt Memorial Foundation."

TRANSACTION OF ROUTINE BUSINESS

unanimous consent, routine busi-
was transacted.

MESSAGE FROM THE HOUSE

message from the House of Rep-
ntatives, by Mr. Hackney, one of its
ding clerks, announced that the
use had agreed to the concurrent res-
tion (S. Con. Res. 36) to make correc-
n in the enrollment of S. 1035.

ENROLLED BILLS SIGNED

The message also announced that the
eaker had affixed his signature to the
olled bill (S. 1035) to extend the pro-
ions of section 3 of Public Law 87-346,
ating to dual-rate contracts, and it
s signed by the Vice President.

IE VOTING RIGHTS ACT OF 1963

The VICE PRESIDENT laid before the
nate a letter from the Attorney Gen-
al, transmitting a draft of proposed
gislation to enforce constitutional
ghts, and for other purposes, which,
ith the accompanying paper, was re-
rred to the Committee on the Judi-
ary.

DDITIONAL FUNDS FOR COMMITTEE ON THE JUDICIARY—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee
n the Judiciary, reported an original
esolution (S. Res. 119); which was re-
erred to the Committee on Rules and
Administration, as follows:

Resolved, That the Committee on the Judiciary is hereby authorized to expend from the contingent fund of the Senate, for obligations incurred during the 87th Congress, $300 in addition to the amount, and for the same purposes specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

REPORT ENTITLED "NATIONAL PENITENTIARIES"—REPORT OF A COMMITTEE (S. REPT. NO. 106)

Mr. LONG of Missouri, from the Committee on the Judiciary, pursuant to Senate Resolution 266, 87th Congress, 2d session, as extended, submitted a report entitled "National Penitentiaries," which was ordered to be printed.

REPORT ENTITLED "PATENTS, TRADEMARKS, AND COPYRIGHTS"—REPORT OF A COMMITTEE (S. REPT. NO. 107)

Mr. McCLELLAN, from the Committee on the Judiciary, pursuant to Senate Resolution 267, 87th Congress, 2d session, as extended, submitted a report entitled "Patents, Trademarks, and Copyrights," which was ordered to be printed.

REPORT ENTITLED "ADMINISTRATIVE PRACTICE AND PROCEDURE"—REPORT OF A COMMITTEE (S. REPT. NO. 108)

Mr. LONG of Missouri, from the Committee on the Judiciary, pursuant to Senate Resolution 256, 87th Congress, 2d session, as extended, submitted a report entitled "Administrative Practice and Procedure," which was ordered to be printed.

WILDERNESS ACT—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 109)

Mr. CHURCH. Mr. President, on behalf of the Senator from New Mexico [Mr. ANDERSON], from the Committee on Interior and Insular Affairs, I report favorably, with amendments, the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, and I submit a report thereon. I ask that the report be printed, together with minority views.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar; and without objection, the report will be printed, as requested by the Senator from Idaho.

Mr. ANDERSON subsequently said: Mr. President, I am advised that the minority report on S. 4, the wilderness bill, is not yet ready. Earlier today, the Senator from Idaho [Mr. CHURCH] on my behalf, filed the majority report, and obtained permission for publication of the report, together with minority views.

Mr. President, I ask unanimous consent to delay the printing of the report on S. 4 a day to permit the minority to complete their statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CASE (for himself, Mrs. NEUBERGER, and Mr. CLARK):

S. 1261. A bill to promote public confidence in the integrity of Congress and the executive branch; to the Committee on Rules and Administration.

By Mr. HUMPHREY (for himself, Mr. RANDOLPH, and Mr. JAVITS):

S. 1262. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least 20 quarters of coverage, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1263. A bill to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 1264. A bill to amend title VI of the National Defense Education Act of 1958; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 1265. A bill to amend section 453 (a) of the Internal Revenue Code of 1954 to clarify the status thereunder of certain types of installment plans, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.

By Mr. BENNETT:

S. 1266. A bill to amend section 2276 of the Revised Statutes in order to extend the right of selection granted therein to the States to unsurveyed unappropriated public lands; and

S. 1267. A bill to provide for an appropriation of a sum not to exceed $80,000 with which to make a survey of a proposed national parkway in Utah connecting the national parks and monuments in the southwestern part of Utah and northwestern part of Arizona with the national monuments and recreation areas in the south-central and southeastern parts of Utah and southwestern part of Colorado; to the Committee on Interior and Insular Affairs.

Mr. BENNETT subsequently said: Mr. President, today I introduced Senate bill 1266 and Senate bill 1267. At this time I ask that the bills be held at the desk until the close of the first day of business of the Senate next week, so that other Senators may have an opportunity to join in sponsoring the bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

By Mr. HUMPHREY (for himself, Mr. RANDOLPH, and Mr. JAVITS):

S. 1268. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

NATIONAL WILDERNESS PRESERVATION SYSTEM

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 88, Senate bill 4.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Mr. MANSFIELD. Mr. President, there will be no action taken on this measure today, but it is being laid down as the pending business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana to proceed to the consideration of the bill.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments.

EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. INOUYE. Mr. President, from the Committee on Armed Services, I report favorably 65 appointments and promotions of general and flag officers in the Army, Navy, and Marine Corps, and the nomination of one admiral for retirement. I ask that these nominations be printed on the Executive Calendar.

The PRESIDING OFFICER. The nominations will be placed on the Executive Calendar.

The nominations are as follows:

Vice Adm. David L. McDonald, U.S. Navy, for appointment to commands and other duties determined by the President, in the grade of admiral while so serving;

Rear Adm. William E. Gentner, Jr., U.S. Navy, for appointment to commands and other duties determined by the President, in the grade of vice admiral while so serving;

Adm. Robert L. Dennison, U.S. Navy, for appointment to the grade of admiral on the retired list;

Rear Adm. William A. Brockett, U.S. Navy, to be Chief of the Bureau of Ships in the Department of the Navy;

Maj. Gen. Charles H. Hayes, U.S. Marine Corps, for appointment to commands and other duties determined by the President, in the grade of lieutenant general while so serving;

Maj. Gen. James Karrick Woolnough, U.S. Army, for appointment to a position of importance and responsibility designated by the President, in the grade of lieutenant general while so serving; and

Brig. Gen. John Edward Kelly, Army of the United States (colonel, U.S. Army), and sundry other officers for temporary appointment in the Army of the United States.

Mr. INOUYE. Mr. President, in addition, I report favorably 1,472 promotions and appointments in the Army in the grade of colonel and below, and 5,404 appointments and promotions in the Navy in the grade of commander and below. Since these names have already been printed in the CONGRESSIONAL RECORD, I ask unanimous consent that they be ordered to lie on the Secretary's desk, for the information of any Senator.

The PRESIDING OFFICER. Without objection, the nominations will lie on the desk, as requested by the Senator from Hawaii.

The nominations are as follows:

Edkwood H. Solomon, Jr., for appointment in the Regular Army of the United States;

Ned E. Ackner, and sundry other officers, for promotion in the Regular Army of the United States;

Adolphus R. Allison, Jr., and sundry other officers of the U.S. Navy, for temporary promotion;

Raymond G. Andrews, and sundry other officers, for promotion in the Regular Army of the United States; and

Jackie E. Bradford, and sundry other distinguished military students, for appointment in the Regular Army of the United States.

The PRESIDING OFFICER. If there be no further reports of committees, the nominations on the Executive Calendar, beginning with new reports, will be stated.

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of nominations under New Reports.

The PRESIDING OFFICER. Without objection, the clerk will state the first nomination under New Reports.

DEPARTMENT OF STATE

The legislative clerk read the nomination of W. Averell Harriman to be Under Secretary of State for Political Affairs.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. HUMPHREY. Mr. President, I know the distinguished Senator from New York would not want the confirmation of the able Under Secretary of State for Political Affairs, W. Averell Harriman, of New York, to take place without there appearing in the RECORD at least a brief statement on the exemplary and unselfish service to the Nation performed by Mr. Harriman during many years, ranging through prewar years, the war years, and the postwar years. Mr. Harriman has not only served as ambassador, Secretary of Commerce, and as Director of Mutual Security, but also as Assistant Secretary of State and as special representative of the President of the United States; all this as well as having been governor of the great Empire State.

Mr. President, I ask unanimous consent that a brief biographical sketch, showing particularly the services to this country performed by Mr. Harriman, be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

W. AVERELL HARRIMAN

Present position: Assistant Secretary of State for Far Eastern Affairs.

Considered for: Under Secretary of State for Political Affairs.

Born: November 15, 1891. Education: B.A., Yale, 1913. Marital status: Married.

Experience: Nongovernment: 1915–17, vice president, supplies and purchases, Union Pacific R.R.; 1932–46, chairman of the board, Union Pacific; 1917–25, chairman of the board, Merchant Shipbuilding Corp.; 1920–31, W. A. Harriman & Co., Inc.; 1931–46, partner, Brown Brothers Harriman & Co. (merger); 1946–63, limited partner, Brown Brothers Harriman & Co.; 1931–42, chairman, executive committee, Illinois Central R.R. Co.; 1915–46, director, Illinois Central R.R. Co.; 1955–58, Governor of the State of New York.

Government: 1933, member, Business Advisory Council for Department of Commerce; 1937–39, Chairman, Business Advisory Council for Department of Commerce; 1934, Administrator, Division II, National Recovery Administration, special assistant, Administrator, NRA; 1934–35, administrative officer, NRA; January 3, 1941, Chief, Materials Branch, Production Division, Office of Production Management; 1941, special representative of the President in Great Britain, rank of Minister; 1941, special representative of the President to U.S.S.R. (chairman mission) rank of Ambassador; 1942, representative in London of Combined Shipping Adjustment Board; 1942, member, London Combined Production and Resources Board; 1943–46, U.S. Ambassador to Russia; April 10, 1946, U.S. Ambassador to Great Britain; 1946–48, Secretary of Commerce; 1948–50, U.S. Representative in Europe under Economic Cooperative Act of 1948, rank of Ambassador; 1950–51, Special Assistant to the President; 1951, American representative on North Atlantic Treaty Organization Commission To Study Western Defense Plans; 1951–53, Director, Mutual Security Agency; 1961, Ambassador at Large, Assistant Secretary of State for Far Eastern Affairs.

Office: Department of State, Washington, D.C.

Home: 3128 P Street NW., Washington, D.C.

Legal residence: New York.

Mr. HUMPHREY. Mr. Harriman has given most of his life to the service of his Nation. I am very proud to be able to share in his friendship, and I am proud to be living at a time when the Nation has been served by such outstanding statesmanship and leadership.

I wish to compliment the distinguished Under Secretary of State on his service to the Nation. He brings to that service a wealth of experience and a breadth of knowledge that very few men possess.

His vitality and vigor are a source of amazement to his contemporaries. He is a unique man in American history. He is one of the truly great men of our time and a great American citizen.

I congratulate the Senate upon its confirmation of the nomination of this great American, and I congratulate the President on sending to us this nomination.

Mr. KEATING. The Senator is perhaps unaware that I appeared and, quite unnecessarily, introduced this distinguished figure to the Committee on Foreign Relations at the time his nomination was considered. I said then that he was beginning to make a perennial appearance and commented on the great service which he has rendered to our country. I express the hope that he will continue to advance in appointive office and will not be diverted in any way to the seeking of elective office.

Can we afford the continued destruction of this priceless natural resource? Or are we to act at last with Hoosier conscience, and say "No" to further ruin of this place * * * financed by the very taxes we pay?

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

THE WILDERNESS ACT

Mr. MANSFIELD. Mr. President, I ask that the unfinished business, Senate bill 4, Calendar No. 88, be laid down and be made the pending business.

There being no objection, the Senate resumed the consideration of the bill (S. 4) to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum; and I would advise the attachés on both sides to have Senators come to the Chamber, because this may well be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the role.

Mr. ALLOTT. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, when hearings were set on S. 4, the wilderness bill, request was made to witnesses to confine themselves to new material. The hearings, accordingly, do not involve as much material as heretofore.

The measure has been before the Senate 6 years. We have held 10 hearings on it and accumulated 2,825 pages of printed record. It passed the Senate by a 78 to 8 vote on September 6, 1961. Nearly everything which can be said about the measure has been said several times in the Interior and Insular Affairs Committee and repeated a time or two here on the floor. The report on the bill makes available to the Senators a section-by-section analysis and explanation.

In presenting the bill today I am seeking to impose on myself the same rule we proposed to witnesses at the hearings, and will try to confine myself largely to a statement on what is new.

The effect of the bill is to provide for setting aside, for preservation in their primitive condition, areas in the national forests, national parks and monuments, wildlife refuges and game ranges which are already being administered to preserve their wilderness character, as a national wilderness preservation system.

The bill sets criteria for their management to preserve their natural character and has two practical effects: It provides that areas finally and fully accredited for wilderness preservation shall have been reviewed both by the executive agencies in charge, and by Congress. It provides that once designated, the areas shall be protected against disturbance or exploitation except when one of the two highest authorities in the land, the President or the Congress, determines that other use is in the greater public good.

Because these areas are public lands already restricted as to commercial exploitation, the bill will cost nothing and cause no economic disturbance to communities, counties, States or private enterprises. Private rights, a half dozen mines, some grazing and a few inholdings, are not disturbed.

The net effect is essentially increasing the degree of protection given to existing wilderness. It becomes a statutory requirement with congressional approval, not just a bureau policy that can be set aside with a stroke of someone's pen.

Two years ago one of the principal points of attack made on this bill was that it was hasty—that the Outdoor Recreation Resources Review Commission was making a $2.5 million study of recreation facilities, including wilderness needs, and that we ought to delay action on a wilderness preservation bill until that report was filed.

But the minority report on the bill—then S. 174—said:

> We feel that the "sense of urgency" that lies behind the drive for enactment of this legislation is artificial and fictitious.

The minority continued:

> We do not attempt to challenge the motives of our colleagues who sincerely support this legislation, but we firmly believe that the "problems which will make the enactment of (such) legislation even more difficult" in the event of further delays are among the following:

The minority, speaking in 1961 before the ORRRC report was issued, then listed as the No. 1 problem which would make enactment of this bill more difficult this year as:

> 1. An analysis of the 1962 report of the ORRRC may well disclose that the 7 million acres presently classified as wild, wilderness, or canoe will be more than adequate to meet the recreation needs of those rugged few who seek the solitude of these areas.

The report of the Commission created under a bill which I introduced and on which I had the honor to serve with many fine Members of the Senate, is now available. It was filed in January 1962. The minority's question is answered, and one of the bits of new material which I can submit on this subject today is just what the Commission said in regard to wilderness.

On page 131 of the Outdoor Recreation Resources Review Commission's report is the Commission's recommendation 8 to 6, which reads:

> Congress should enact legislation providing for the establishment and management of certain wilderness areas as primitive areas.
>
> Primitive areas satisfy a deep-seated human need occasionally to get far away from the works of man.
>
> Prompt and effective action to preserve their unique inspirational, scientific, and cultural values on an adequate scale is essential, since once destroyed they can never never be restored.
>
> Portions of national forests, parks, monuments, wildlife refuges, game ranges, and the unreserved public domain meet the basic criteria of primitive areas. The natural environment has been undisturbed by commercial utilization, and they are without roads. Some of these areas are managed for the purpose of wilderness preservation under broad statutory authority. Certain areas of more than 100,000 acres in the national forest have already been set aside by the Secretary of Agriculture as "wilderness areas." Others between 5,000 and 10,000 acres have been set aside by the Chief of the Forest Service as "wild areas."

And now, Mr. President, comes the answer to the minority speculation about the Commission finding 7 million acres of wild and wilderness area to be more than adequate.

The Commission reported:

> There is a widespread feeling, which the Commission shares, that the Congress should take action to assure the permanent reservation of these and similar suitable areas in national forests, national parks, wildlife refuges, and other lands in Federal ownership.

Mr. President, the ORRRC went beyond S. 4, the wilderness bill which is now the pending business of the Senate. After enumerating the types of lands covered by this bill, it reported that:

> Congress should take action to assure the permanent reservation of these and similar suitable areas.

It also went beyond S. 4 by suggesting that, in addition to the forest, park, wildlife and game lands covered by S. 4, there should be some areas of the unreserved public domain set aside.

There are no unreserved public domain lands put into the wilderness system by S. 4 for a very good reason.

The lands which are designated as wilderness in the pending bill are all areas already reserved, already restricted, as to commercial exploitation.

There are no such reserved areas in the unreserved public domain.

We cannot be certain, as we are about areas actually covered by S. 4, that if a wilderness area is designated in the unreserved public domain it will not disturb some economic activity or arrangement.

Where designation of unreserved, unrestricted areas are involved, the sponsors of this bill have felt that the same procedure as is followed in establishing a national park—an act of Congress—is the proper procedure. This bill so provides. No unreserved lands, no areas not already restricted as to economic activity, are involved in S. 4. If there is effort to add the additional lands to our wilderness holdings as recommended by the Outdoor Recreation Commission, it will hereafter have to be by an act of this Congress apart from S. 4.

The point of these remarks is that the speculation of the minority in 1961, and I imply no criticism of my colleagues for being careful in their approach—has not only not been sustained by the ORRRC report, it has proved to be rather wide of the mark.

ORRRC found that the wild, wilderness, primitive, canoe, park, and wildlife areas covered in this bill should be reserved and protected as wilderness through prompt and effective action.

e the findings of the Commission
been released, we have had wit-
before the Interior and Insular Af-
Committee who have contended
RRRC found that "we do not need
ness very much." The argument
hat the Commission found that the
part of our recreation problem is
50 miles of our great urban cen-

Commission did find that the
t number of recreational activity
ons will be an afternoon or evening
a drive, tennis, golf, a swim, or some
e pleasure close to home.
; besides these 1-day activity occa-
there are weekends, and there are
ions of 1, 2, 3, and 4 weeks and even
r on which only 9 percent of the
cipants stay within that 50-mile ra-
Two-thirds travel more than 250
. One-third travel more than 750
; 27 percent travel more than 1,000
, and 10 percent make a trip of 2,000
or more.
e erroneous argument that we do
need recreation facilities except close
g cities was used against the Sleep-
Bear Dunes proposal, by the Senator
Michigan [Mr. HART], at hearings a
ago. The Public Lands Subcom-
ee was told that a lakeshore recrea-
area was not needed in northern
igan because it was more than 50
s—240 miles, in fact—from Detroit.
implication was that no one would
here.
hope that no one in the Senate will
e such an argument. We need city
grounds inside city limits. We need
links, tennis courts, pools, and gen-
outdoor recreation areas in or close
he suburbs. We need reasonable ac-
sible vacation areas a day or two away
m population centers, and we need far
ay places like our great national parks
wilderness for vacations.
The Outdoor Recreation Resources Re-
w Commission proposed a system of
ssification of recreational areas illus-
ting the variety of our needs. I ask
animous consent, Mr. President, to
ve printed in the RECORD at this point
e Commission's recommendation of a
stem of classifying recreation lands in
categories to facilitate planning, ad-
nistration, and understanding in the
creation field. It will clearly indicate
e Commission's finding of the range of
r needs.
There being no objection, the recom-
endation was ordered to be printed in
e RECORD, as follows:

The following system of classifying outdoor
creation resources is proposed:
Class I—High-density recreation areas:
reas intensively developed and managed for
ass use.
Class II—General outdoor recreation areas:
reas subject to substantial development for
wide variety of specific recreation uses.
Class III—Natural environment areas:
arious types of areas that are suitable for
ecreation in a natural environment and
sually in combination with other uses.
Class IV—Unique natural areas: Areas of
utstanding scenic splendor, natural wonder,
r scientific importance.
Class V—Primitive areas: Undisturbed
oadless areas characterized by natural, wild
onditions, including "wilderness areas."
Class VI—Historic and cultural sites: Sites of major historic or cultural significance, either local, regional, or national.

Mr. ANDERSON. Mr. President, I served on the Outdoor Recreation Resources Review Commission and it was a real privilege, for which I am grateful to the Senate, for it was a truly outstanding Commission which did a very wonderful job.

The Commission was composed of four Members of the Senate and four Members of the House, equally divided between political parties, and seven members appointed by President Dwight D. Eisenhower. Mr. Laurance Rockefeller served as Chairman, and he rendered the Nation a great service in that capacity, as he is continuing to do as Chairman of a citizens' group which is pressing for implementation of the ORRRC report.

The members of the Commission, and also of a larger advisory council which assisted the Commission, included conservationists, public officials, and businessmen interested in the use and utilization of the natural resources of our forests and mineral lands.

The report itself says:

After 3 years of research and an aggregate of 50 days of discussion among the Commissioners, the Commission has developed specific recommendations for a recreation program. The 15 members brought different political, social, and resource-use opinions to the meeting table, and proposed recommendations were put through the test of this range of opinions. During the course of the study and discussion, views of individual members developed and the collective opinion crystallized. The final recommendations are a consensus of the Commission.

That consensus, Mr. President, agreed with the policies and programs which would be established by S. 4 in detail.

The Commission recommended, as S. 4 provides, that wilderness areas remain under the administration of the agencies which now administer them. It commented immediately following the recommendation that "this concept is incorporated in pending legislation which provides that wilderness areas shall be administered by different Federal bureaus."

The Commission declared that wilderness areas should "be managed for the sole and unequivocal purpose of maintaining their primitive attributes. There should be no development of public roads, permanent habitations or recreation facilities. Mechanized equipment of any kind should be allowed in the area only as needed to assure protection from fire, insects, and disease."

All of these statements support features of S. 4.

The Commission had an independent study made of the wilderness problem. It discussed that report and the many subordinate problems involved in preserving an adequate area of untouched, natural lands. This discussion covered competing uses and needs for the lands. Those competing uses and needs are not entirely commercial, exploitive users like mining, timbering, and grazing. One of the greatest pressures on the wilderness areas in the national parks, and on the backlands in the wildlife ranges and refuges, is from the burgeoning number of recreationists themselves, and the pressure for mass recreation facilities.

It was because of this pressure, as well as other use pressures, that ORRRC found that the type of protection given the wild and wilderness areas in the national parks and wildlife lands by S. 4 to be highly desirable.

Mr. President, deep down inside of most Americans is a love of the out-of-doors.

This is the really essential fact one needs to know to pass judgment on this bill, and give it his support.

It is an effort to protect and preserve, unspoiled, just a little bit of the vast wilderness which stretched from ocean to ocean on this continent less than 300 years ago, so that this love of the great, unspoiled, out-of-doors which is a part of us can be gratified.

In September 1961, when this measure first passed the Senate, I was forced to be away and the senior Senator from Idaho [Mr. CHURCH] handled the measure on the floor.

I have a great obligation to him for the splendid presentation of the measure which he made, and the skillful manner in which the bill was handled. He had able assistance from the junior Senator from Montana [Mr. METCALF]; from the Senator from Utah [Mr. Moss]; the present chairman of the Interior Committee [Mr. JACKSON]; and others.

As I read the RECORD, I felt, as I still feel, a deep sense of appreciation to all of them.

One passage in the debate impressed itself in my mind. That was a passage during which the Senator from Idaho [Mr. CHURCH] very fervently and very eloquently stated the fundamental case for the preservation of wilderness.

It is the one bid of old, not new, material which I shall use in these remarks for it is well worth repeating; it was one of those relatively infrequent but memorable passages in our usually workaday record. It was devoid of statistics, and devoid of legalistic arguments but it got down to fundamentals. The Senator said, and I read from the RECORD:

Have those who seek the sanctuary of the wilderness no right in a country as vast and rich as the United States?

We will deny those people their right if we fail to act in a timely fashion upon a wilderness bill.

Most of the people in the Eastern United States are denied the right now because the wilderness has largely disappeared. It is vanishing in the West. Unless we take some action to establish legislative safeguards around it, within a few years it will disappear entirely. Once it has been dissipated, once roads have been built, once organized life starts, it is gone forever. It is not a renewable resource.

So, if we are to preserve for future generations the uplifting experience which has come to those of us who have known the wild lands, we must act now, else our children and grandchildren will be forever deprived.

So I say that, in a country which has come to be characterized by the congested life of cityism by the domesticated life of nicely clipped countrysides, let us reserve some places here and there and elsewhere around the country where the land remains as God

gave it to us, and make sure that it stays that way; so that those who want to escape from the banality of beer cans and cigarette commercials will have a chance to do so.

Mr. President, without wilderness this country will become a cage.

This passage from the distinguished Senator's remarks has been reprinted and quoted many times for the reason that it stated what a great many Americans feel and believe but cannot state so forcefully.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be considered as original text for the purpose of further consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 11, after line 18, strike out:

"(i)(1) The Secretary of Agriculture and the Secretary of the Interior shall each, in submitting any recommendations to the President with respect to any area's retention in or incorporation into the wilderness system include with such recommendations the independent views of the Governor of the State in which such area is located with respect to the Secretary's recommendations generally, unless no reply is received from such Governor within ninety days after such recommendations are submitted to him and his views thereon requested."

And, in lieu thereof, to insert:

"(i)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to any area's retention in or incorporation into the wilderness system—

"(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

"(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided,* That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

"(C) at least thirty days before the date of a hearing advise the Governor of each State and the county, or in Alaska the borough, governing board of each county, or in Alaska the borough, in which the lands are located, the United States Forest Service, the United States Soil Conservation Service, the Corps of Engineers of the United States Army, the Bureau of Reclamation, the Bureau of Mines, the United States Geological Survey, the Bureau of Sport Fisheries and Wildlife, the Federal Power Commission, the Rural Electrification Administration and the Federal Communications Commission, inviting each to set forth its views at the hearing. It shall be the responsibility of each named Federal agency to submit its independent views concerning the designation of an area as 'wilderness', giving an analysis of the comparative values that may be involved as between wilderness and that type of development or uses for which the Federal agency has administrative responsibility."

On page 13, line 21, after "(j)" strike out:

"In any case where State owned land is completely surrounded by lands incorporated into the wilderness system such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unappropriated and unreserved land in the same State, not exceeding the value of the surrounded land, in exchange for the surrounded land."

And insert:

"In any case where State-owned land is completely surrounded by land incorporated into the wilderness system, such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unappropriated, and unoccupied Federal land in the same State, equal in value of the surrounded land: *Provided,* That if the State does not reserve mineral rights in the surrounded land conveyed to the United States, the United States need not reserve mineral rights in the land conveyed to the State in exchange."

On page 14, line 21, after the word "the", strike out "Congress." and insert "Congress: *Provided, however,* That nothing in this Act shall be construed to confer a right of condemnation with respect to privately owned land within the boundaries of a wilderness area, or to impair any customary right or privilege heretofore enjoyed by the owners of such land, respecting access to it or to its ordinary use and maintenance."; and on page 17, line 14, after the word "where", strike out "well"; so as to make the bill read:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Wilderness Act'.

"WILDERNESS SYSTEM ESTABLISHED

"STATEMENT OF POLICY

"SEC. 2. (a) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States and its possessions except those that are designated for preservation and protection in their natural condition. It is accordingly declared to be the policy of the Congress of the United States to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas in the United States and its possessions to be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

"DEFINITION OF WILDERNESS

"(b) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's works substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

"NATIONAL WILDERNESS PRESERVATION SYSTEM

"EXTENT OF SYSTEM

SEC. 3. (a) The National Wilderness Preservation System (hereafter referred to in this Act as the wilderness system) shall comprise (subject to existing private rights) such federally owned areas as are established as part of such system under the provisions of this Act.

"NATIONAL FOREST AREAS

"(b)(1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, primitive, or canoe: *Provided,* That the areas classified as primitive shall be subject to review as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review, in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the continued inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided,* That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be continued in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value: *Provided further,* That following such exclusions and additions any primitive area recommended to be continued in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the continued inclusion in the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided,* That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a part of the wilderness system and shall be administered as other national forest lands: *And provided further,* That, primitive areas with respect to which recommendations are submitted to Congress on the eighth, ninth, and tenth years of the review period herein provided shall retain their status as a part of the wilderness system until the expiration, in respect to each area, of a full session of Congress, two years for resubmission of revised recommendations to Congress by the President, and, if so resubmitted, until the expiration of a full session of Congress thereafter. Recommendations on all primitive areas not previously submitted to the Congress shall be made during the tenth year of the review period. Any primitive area, or portion thereof, on which a recommendation for continued inclusion in the wilderness system has not become effective within fourteen years following the enactment of this Act shall cease to be a part of the wilderness system and shall be administered as other national forest land.

"(2) The purposes of this Act are hereby declared to be within and supplemental to but not in interference with the purposes

r which national forests are established as t forth in the Act of June 4, 1897 (30 Stat. .), and the Multiple Use-Sustained Yield ct of June 12, 1960, Public Law 86-517 (74 tat. 215).

"NATIONAL PARK SYSTEM AREAS

"(c) (1) There shall be incorporated into ne wilderness system, subject to the provi- ons of and at the time provided in this ection, each portion of each park, monu- ment, or other unit in the national park ystem which on the effective date of this ct embraces a continuous area of five thou- and acres or more without roads. Within en years after the effective date of this Act he Secretary of the Interior shall review the nits of the national park system and shall eport his recommendations for the incorpo- ation of each such portion into the wilder- ess system to the President. Before the onvening of Congress each year, the Presi- ent shall advise the United States Senate nd the House of Representatives of his ecommendations with respect to the incor- oration into the wilderness system of each such portion for which review has been com- pleted in the preceding year, together with maps and definitions of boundaries. The recommendation of the President with re- spect to each such portion shall become effective subject to the provisions of sub- section (f) of this section.

"(2) The Secretary of the Interior shall include, as part of his recommendations to the President under the provisions of this subsection, a description of the parts of each park, monument, or other unit submitted which should be reserved for roads, motor trails, buildings, accommodations for visi- tors, and administrative installations. Such parts shall be determined in accordance with the procedures for rulemaking under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), except that the public notice required under such section shall be at least ninety days prior to the determination pro- ceedings. No designation of an area for roads, motor trails, buildings, accommoda- tions for visitors, or administrative installa- tions shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled 'An Act to establish a National Park Service, and for other purposes' (39 Stat. 535; 16 U.S.C. 1 and following). The accommodations and installations in such designated areas shall be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural con- dition. Further, the inclusion of any area of any park, monument, or other unit of the national park system within the wilderness system pursuant to this Act shall in no man- ner lower the standards evolved for the use and preservation of such area in accordance with such Act of August 25, 1916, the statu- tory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, in- cluding, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 and following); section 3(2) of the Federal Power Act (16 U.S.C., sec. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C., sec. 461 and following).

"NATIONAL WILDLIFE REFUGES AND GAME RANGES

"(d) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, such portions of the wildlife refuges and game ranges established prior to the effec- tive date of this Act under the jurisdiction of the Secretary of the Interior as he may recommend for such incorporation to the President within ten years following the effective date of this Act. Before the con- vening of Congress each year the President shall advise the United States Senate and the House of Representatives of his recom- mendations with respect to the incorporation into the wilderness system of each area recommended for such incorporation by the Secretary of the Interior during the preced- ing year, together with maps and definitions of boundaries. The recommendation of the President with respect to each area shall be- come effective subject to the provisions of subsection (f) of this section.

"MODIFICATION OF BOUNDARIES

"(e) Any proposed minor modification or adjustment of boundaries of any portion of the wilderness system established in accord- ance with this Act shall be made by the ap- propriate Secretary after public notice of such proposal by publication in a newspaper having general circulation in the vicinity of such boundaries and public hearing to be held in such vicinity not less than ninety days after such notice if there is sufficient demand during such ninety days for such hearing. The proposed modification or ad- justment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recom- mendations shall become effective subject to the provisions of subsection (f) of this section.

"EFFECTIVE DATE OF PRESIDENT'S RECOMMENDATIONS

"(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress fol- lowing the date or dates on which such rec- ommendation was received by the United States Senate and the House of Representa- tives; but only if prior to such adjournment neither the Senate nor the House of Repre- sentatives shall have approved a resolution declaring itself opposed to such recommen- dation: *Provided*, That in the case of a rec- ommendation covering two or more separate areas, such resolution of opposition may be limited to one or more of the areas covered, in which event the balance of the recom- mendation shall take effect as before pro- vided: *Provided further*, That where a resolution of opposition to any such recom- mendation has been introduced, a hearing thereon shall be held within thirty days by the committee to which such resolution has been referred. Any such resolution shall be subject to the procedures provided under the provisions of sections 203 through 206 of the Reorganization Act of 1949 (5 U.S.C., secs. 133z-12—133z-15) for a resolution of either House of Congress.

"EFFECT OF PUBLIC NOTICE OF PROPOSED ADDITION TO WILDERNESS SYSTEM

"(g) Public notice when given by either the Secretary of the Interior or the Secretary of Agriculture that any area is to be proposed under the provisions of this Act for incor- poration as part of the wilderness system shall segregate such area from any or all appropriation under the public land laws to the extent deemed necessary by such Secre- tary. Such segregation shall terminate (1) upon rejection of such proposal by the Presi- dent, (2) upon approval by the Senate or the House of Representatives of a resolution opposing the incorporation of such area in the wilderness system, or (3) five years after the date of such notice if the proposal to incorporate such area as part of the wilder- ness system has not been submitted to both Houses of Congress prior to the expiration of such five years.

"ADDITION OR ELIMINATION NOT PROVIDED FOR IN THIS ACT

"(h) The addition of any area to, or the elimination of any area from, the wilderness system which is not specifically provided for under the provisions of this Act shall be made only after specific affirmative authori- zation by law for such addition or elimina- tion.

"ADDITIONAL REQUIREMENTS WITH RESPECT TO RECOMMENDATIONS

"(i) (1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to any area's reten- tion in or incorporation into the wilderness system—

"(A) give such public notice of the pro- posed action as they deem appropriate, in- cluding publication in the Federal Register and in a newspaper having general circula- tion in the area or areas in the vicinity of the affected land;

"(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be an- nounced through such means as the respec- tive Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands in- volved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

"(C) at least thirty days before the date of a hearing advise the Governor of each State and the county, or in Alaska the borough, governing board of each county, or in Alaska the borough, in which the lands are located, the United States Forest Service, the United States Soil Conservation Service, the Corps of Engineers of the United States Army, the Bureau of Reclamation, the Bureau of Mines, the United States Geological Survey, the Bureau of Sport Fisheries and Wildlife, the Federal Power Commission, the Rural Elec- trification Administration, and the Federal Communications Commission, inviting each to set forth its views at the hearing. It shall be the responsibility of each named Federal agency to submit its independent views con- cerning the designation of an area as 'wilder- ness', giving an analysis of the comparative values that may be involved as between wilderness and that type of development or uses for which the Federal agency has ad- ministrative responsibility.

"(2) Views submitted to the President under the provisions of (1) of this subsec- tion with respect to any area shall be in- cluded with any recommendations to Con- gress with respect to such area.

"STATE LANDS SURROUNDED BY WILDERNESS SYSTEM

"(j) In any case where State-owned land is completely surrounded by land incorpo- rated into the wilderness system, such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unap- propriated, and unoccupied Federal land in the same State, equal in value to the sur- rounded land: *Provided*, That if the State does not reserve mineral rights in the sur- rounded land conveyed to the United States, the United States need not reserve mineral rights in the land conveyed to the State in exchange.

"ACQUISITION OF CERTAIN PRIVATELY OWNED LANDS WITHIN THE WILDERNESS SYSTEM

"SEC. 4. The Secretary of the Interior and the Secretary of Agriculture are each au- thorized to acquire as part of the wilderness system any privately owned land within any portion of such system under his jurisdic- tion, subject to the approval of any neces- sary appropriations by the Congress: *Pro- vided, however*, That nothing in this Act shall be construed to confer a right of con- demnation with respect to privately owned land within the boundaries of a wilderness area, or to impair any customary right or privilege heretofore enjoyed by the owners of such land, respecting access to it or to its ordinary use and maintenance.

"GIFTS OR BEQUESTS OF LAND

"SEC. 5. The Secretary of Agriculture and the Secretary of the Interior may each accept gifts or bequests of land for preservation as wilderness, and such land shall on acceptance become part of the wilderness system. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

"USE OF THE WILDERNESS

"OTHER PROVISIONS OF LAW

"SEC. 6. (a) Nothing in this Act shall be interpreted as interfering with the purposes stated in the establishment of, or pertaining to, any park, monument, or other unit of the national park system, or any national forest, wildlife refuge, game range, or other area involved, except that any agency administering any area within the wilderness system shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character. Except as otherwise provided in this Act, the wilderness system shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use. Subject to the provisions of this Act, all such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

"PROHIBITION OF CERTAIN USES

"(b) Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within the wilderness system, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such areas.

"SPECIAL PROVISIONS

"(c) The following special provisions are hereby made:

"(1) Within the wilderness system the use of aircraft or motorboats where these practices have already become established may be permitted to continue subject to such restrictions as the appropriate Secretary deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the appropriate Secretary deems desirable.

"(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including but not limited to exploration for oil and gas), mining (including but not limited to the production of oil and gas), and the establishment and maintenance of reservoirs, water-conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (B) the grazing of livestock, where established prior to the effective date of this Act with respect to areas established as part of the wilderness system by this Act, or prior to the date of public notice thereof with respect to any area to be recommended for incorporation in the wilderness system, shall be permitted to continue subject to such restrictions and regulations as are deemed necessary by the Secretary having jurisdiction over such area.

"(3) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou roadless areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats. Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act, Public Law 539, Seventy-first Congress, July 10, 1930 (46 Stat. 1020), the Thye-Blatnik Act, Public Law 733, Eightieth Congress, June 22, 1948 (62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act, Public Law 607, Eighty-fourth Congress, June 22, 1956 (70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture. Modifications of the Boundary Waters Canoe Area within the Superior National Forest shall be accomplished in the manner provided in section 3(e).

"(4) Commercial services may be performed within the wilderness system to the extent necessary for activities which are proper for realizing the recreational or other purposes of the system as established in this Act.

"(5) Any existing use or form of appropriation authorized or provided for in the Executive order or legislation establishing any national wildlife refuge or game range existing on the effective date of this Act may be continued under such authorization or provision.

"(6) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

"(7) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

"(8) Nothing in this Act shall be construed to prevent, within national forest and public domain areas included in the wilderness system, any activity, including prospecting, for the purpose of gathering information about mineral or water resources or to prevent the completely subsurface use of such areas, if such activity or subsurface use is carried on, in a manner which is not incompatible with the preservation of the wilderness environment.

"RECORDS AND REPORTS

"SEC. 7. The Secretary of the Interior and the Secretary of Agriculture shall each maintain available to the public, records of portions of the wilderness system under his jurisdiction, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding, pending additions, eliminations, or modifications. Within a year following the establishment of any area within the national forests as a part of the wilderness system, the Secretary of Agriculture shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal descriptions and maps may be made with the approval of such committees. Within a year following the establishment of any area in the national park system or in a wildlife refuge or range as a part of the wilderness system, the Secretary of the Interior shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives. Clerical and typographical errors in such legal descriptions and maps may be corrected with the approval of such committees. Copies of maps and legal descriptions of all areas of the wilderness system within their respective jurisdictions shall be kept available for public inspection in the offices of regional foresters, national forest supervisors, forest rangers, offices of the units of the national park system, wildlife refuge, or range.

"CONTRIBUTIONS AND GIFTS

"SEC. 8. The Secretary of the Interior and the Secretary of Agriculture are each authorized to accept private contributions and gifts to be used to further the purposes of this Act. Any such contributions or gifts shall, for purposes of Federal income, estate, and gift taxes, be considered a contribution or gift to or for the use of the United States for an exclusively public purpose, and may be deducted as such under the provisions of the Internal Revenue Code of 1954, subject to all applicable limitations and restrictions contained therein.

"LAND USE COMMISSIONS

"SEC. 9. With respect to any State having more than 90 per centum of its total land area owned by the Federal Government on January 1, 1961, there shall be established for each such State a Presidential Land Use Commission (hereinafter called the Commission). The Commission shall be composed of five persons appointed by the President, not more than three of whom shall be members of the same political party, and at least three of whom shall be residents of the State concerned. The Commission shall advise and consult with the Secretary of the Interior and the Secretary of Agriculture on the current utilization of federally owned land in such State and shall make recommendations to the appropriate Secretary as to how the federally owned land can best be utilized, developed, protected and preserved. Any recommendations made to the President by the Secretary of Interior or the Secretary of Agriculture and any recommendations made to the Congress by the President pursuant to the provisions of this Act shall be accompanied by the recommendations and reports made with respect thereto by the Commission.

"SEC. 10. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

"SEC. 11. Nothing in this Act shall be construed as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act (16 U.S.C. 792–825r)."

Mr. AIKEN and Mr. CHURCH addressed the Chair.

Mr. ANDERSON. Will the Senator from Vermont permit me to yield to the Senator from Idaho first?

Mr. AIKEN. Certainly.

Mr. CHURCH. I merely wish to say to the distinguished Senator from New Mexico that I appreciate his opening remarks. All of us on the Interior and Insular Affairs Committee know of the fine leadership we have had in him that has resulted in bringing this bill to the floor today. The Senator from New Mexico is one of the most distinguished

ervationists in the Senate today, and
napter he has written over the course
long and brilliant career will win for
greater esteem in the hearts of the
ple, than the leadership he has given
his measure. I just wanted to ex-
s my feeling, which I know is shared
many other Members of the Senate.

r. ANDERSON. I thank the Sena-
from Idaho. I yield now to the Sena-
from Vermont.

Mr. AIKEN. Mr. President, I wish to
mend the Senator from New Mexico
his ability and persistence in this ef-
. This bill, if enacted into law, will
ble future generations of Americans
see at least a few wilderness spots in
erica.

s I understand, very little area east
he Mississippi and north of Kentucky
uld be eligible for inclusion in wilder-
s areas. Am I correct in my under-
nding that the Mount Desert Island
a in Maine and the White Mountain
a in New Hampshire will be eligible
such inclusion?

Mr. ANDERSON. I think that is cor-
t. A few States have some space that
wilderness area, like New York State,
example, which will be eligible for
reservation under their own State sys-
n, but not under the national system.

Mr. AIKEN. But it would require ad-
tional legislation to put in the wilder-
ss area any tracts which are not now
cluded?

Mr. ANDERSON. Yes, it would. One
the things we made sure of is that it
quires positive legislation to add new
reas.

Again I thank the Senator from Ver-
ont for his fine leadership. I have been
ssociated with him many times in agri-
ltural legislation, and it has been a
reat pleasure to be associated with him
n conservation legislation. I pay tribute
o him.

Mr. AIKEN. I shall support the leg-
slation even though no area of my State
would be eligible to be included in the
vilderness area. We have other ways,
however, of preserving forest reserves
nd wild areas in Vermont.

Mr. JOHNSTON. Mr. President, I
ommend the Senator from New Mexico
or the diligent work he has given to the
ill pending before the Senate. In the
Southeast, and especially in South Caro-
ina, we would be benefited very little, if
at all, by the bill; but I am mindful of
the fact that if something had been done
years ago in this particular field, it would
have brought much benefit to South
Carolina and the Southeastern States.
We let it slip through our fingers, so to
speak. Today we can do very little
about it, but, at the same time, the West
is at the present time trying to preserve
forests. I am glad to see them do it. I
commend especially the senior Senator
from New Mexico for his diligent efforts
in this field.

Mr. ANDERSON. I thank the Sena-
tor from South Carolina for his kind re-
marks, which are typical of him.

The PRESIDING OFFICER. The bill
is open to further amendment.

Mr. ALLOTT. Mr. President, a par-
liamentary inquiry.

The PRESIDING OFFICER. The
Senator will state it.

Mr. ALLOTT. Have the committee
amendments been adopted en bloc?

The PRESIDING OFFICER. The
committee amendments were agreed to
en bloc. The bill, as amended, is consid-
ered as original text for the purpose of
amendment. The bill is now open to
further amendment.

Mr. DOMINICK. Mr. President, if I
may, at this time, I should like to make
some statements about the pending bill
and my own position on it, and also with
respect to possible amendment which
might be added to it.

First of all, I wish to say that I had the
privilege of serving in the House of Rep-
resentatives in the last 2 years on both
the Public Lands Subcommittee and the
Interior Committee, which considered
the bill when it came to the House from
the Senate last year.

There is little or no doubt in my mind
that although I personally would like to
see a wilderness system set up under leg-
islative authority, the pending bill, as it
is now written, would, if passed by the
Senate, encounter considerable difficulty
in being approved by the appropriate
committee in the other body.

I say that for a variety of what I con-
sider to be very good reasons. First, I
served with a great many of the Mem-
bers in the House; secondly, there is
basic disagreement on the question of
which branch of Government should
have primary authority in creating a leg-
islative system under law.

We have at the moment in the pend-
ing bill a proposal which I believe it
would be wise to modify in at least one
important respect, and which could have
vast significance in insuring for future
generations a wilderness system in which
people could enjoy the forests and moun-
tains and lakes as a part of our Nation's
heritage.

However, the difficulty is that we are
grouping together and putting into one
system, without any particular legisla-
tive scrutiny, a vast area of land known
as the primitive lands, which have not
been classified by the executive depart-
ment or reviewed by Congress, to see
whether this is the most useful purpose
for that particular group of public lands.

What we have proposed in committee,
and what the other body was doing its
best to try to put into effect in previous
hearings and previous discussion of the
bill, is the proposal that the legislative
body, Congress, should have the right
to determine, after recommendation by
the executive department, which of these
primitive lands or which group of these
primitive lands should be brought into
the wilderness system, and that they
should not all be blanketed in at the
same time.

As an example of that, I would like to
point to—and I believe the Senator from
New Mexico [Mr. ANDERSON] would
agree—what I consider to be a good sys-
tem, namely, the method by which we
decide on the establishment of reclama-
tion projects. There is a possibility, I
suppose, that under reclamation law the
Executive could simply decide what is to
be done by way of reclamation projects
and then send the proposal to Congress,
and, unless Congress vetoed it, the proj-
ects would go through. However, as a
matter of fact, that is not the way we
have established the reclamation system.
What we have done is to say that the
Executive shall determine whether a par-
ticular project is feasible. At the end
of that study it sends the project to
Congress. Then Congress both author-
izes the project involved and appropri-
ates the money for it. During the course
of that time, however, Congress very
carefully inspects and studies the details
of each project that is presented to it.

It is my feeling, and I believe the feel-
ing of a great number of us in Con-
gress, whether it be in the Senate or
in the House, that that is the same type
of system that we ought to use in con-
nection with the wilderness system.
However, it is not. What we are being
asked to do here is to say that we will
blanket everything in, and then the Ex-
ecutive will review it and say either that
additional public lands will be brought
in or that some of them should be taken
out; and that the only way Congress will
have the right to act in a negative way
on the matter will be by way of a veto.

I believe that a comparison of such a
proposal with the Reorganization Act
shows it to be basically wrong. The rea-
son it is basically wrong is that under
the Reorganization Act the executive
department is, in fact, dealing with the
executive departments of Government.
In that kind of situation perhaps the
Reorganization Act, which gives Con-
gress only the right to veto, has some
possibility of being fruitful and the ex-
pedient way of handling executive de-
partments.

However, in this particular situation
what we are dealing with is wholly dif-
ferent. We are saying that we will take
a vast amount of public land, belonging
to the people of the United States all
over the country, and blanket it into a
system, as the result of which the ma-
jority of the people can no longer use
those lands for any purpose whatsoever.

The evidence has shown, in the House
and in the Senate, if I may use a col-
loquial term, that only about 2 percent
of the visitors to public lands never go
into the wilderness lands at all.

This taking of action by Executive
decree is beyond the principle and scope
of the effort which we in this great body
should undertake. We should determine
whether particular lands are to be
isolated and carried out of use by people
of the United States, and isolated into
a situation where only 2 percent of the
people can have any benefit out of them.

There are other problems involved in
connection with this situation. I was
able, during the course of the hearings,
to ask the distinguished head of the
Forest Service as to whether passage of
the bill would later prevent the con-
struction of electric transmission lines
across wilderness systems which might
be incorporated in the pending bill. I
asked whether we would be able to con-
tinue the necessary water development of
the West if we passed the bill. I asked
that particularly because of the need that
we have for water development in the
western area of the United States, in
particular.

The answer that I received was that the bill, if passed, would supersede other laws now on the books, and that this would mean that no construction could go on in these wilderness areas, of any kind, unless the President of the United States himself determines that this construction of transmission lines or water development facilities, or whatever it might be, was in the public interest to the extent that there should be permitted an invasion of the wilderness concept of any particular land. This could easily in the State of Colorado, and in any other Western State, seriously hamper the necessary construction of facilities for the accumulation of water for the benefit of the entire economy of the Western area of the United States.

It is a really serious question as to whether it will be possible to continue water development if any of the wilderness systems which are contemplated under the terms of the bill will in fact hamper the construction of transmission lines or the development of water facilities. We already know that within some of the wilderness systems which would be brought within the terms of the bill as it is now presented to the Senate, there are in existence water development projects which it will be necessary, in some manner, to maintain so as to insure their continuance. There is no such guarantee in the bill at the present time. Therefore, it would be necessary to promulgate special regulations or to get special exceptions in order to be able to take care of existing water developments in certain portions of wilderness areas at the present moment. This is one reason why I have serious doubt whether the bill, if it remains in its present form, even with the amendments adopted by the committee, will be able to pass the other body of Congress.

I say again, publicly, that I favor a legislative system to preserve wilderness areas; but I have strong doubts as to whether the pending bill will accomplish that result. I say that because I have strong doubt as to whether the bill in its present form will ever pass the other body of Congress.

We have a very simple amendment, which was offered in committee by my colleague, the distinguished senior Senator from Colorado [Mr. ALLOTT], which would reserve the process which is proposed in the bill. It would bring into the wilderness system all lands which are now classified as wilderness or canoe, but would leave out all lands now classified as primitive. It includes specific instructions that primitive lands shall remain primitive under their present usage, but that they would be reviewed by the executive department, and that each year, as Congress meets, Congress would be presented with recommendations as to those lands, not only by the executive department but also by the Governors of the States and by representatives of the local areas which are involved, after hearings. The recommendations would be presented to Congress for authorization to be included within the wilderness system.

If this type of amendment were adopted by the Senate, it seems to me that without any doubt not only would there be almost unanimous approval for the passage of the bill in this body, but that the chances of the passage of the bill in final form through the other body would be greatly enhanced. At the moment, I do not conceive of any particular difficulty in getting a bill of that type through the other body. However, I anticipate substantial difficulty in having a bill of the present nature, even with the committee amendments which have been adopted, passed by the other body.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Colorado will state it.

Mr. DOMINICK. Do I correctly understand that the committee amendments as shown in the committee report—Report No. 109—have already been adopted by voice vote?

The PRESIDING OFFICER. They have been adopted. The bill as amended is considered as original text for the purpose of amendment.

Mr. ANDERSON. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield.

Mr. ANDERSON. The plan was to have the committee amendments adopted en bloc. The bill then would be regarded as a new bill, to which amendments to any section thereof would be in order. Amendments which were then offered would not be barred as third degree amendments, or anything of that nature.

Mr. DOMINICK. Have the amendments which were included in Report No. 109 been explained to the Senate?

Mr. ANDERSON. They have not been explained. A motion was made that they be adopted. The explanation should properly take place during the discussion of the bill.

Mr. DOMINICK. Has that motion yet been voted upon?

Mr. ANDERSON. Yes, it has. The committee amendments have been adopted en bloc, and the bill is all new text, as carried in the report, for the purpose of amendment.

Mr. DOMINICK. I thank the Senator from New Mexico. That relieves my mind.

Mr. President, most of us, particularly those of us who represent the Western States, are probably more conscious of the beauty and magnificence of the proposed wilderness areas than perhaps any other group in the United States. Most of us from that area use the public lands for hunting, fishing, and exploring. Some of the public lands are used for grazing purposes. Those who conduct grazing operations on the lands have participated in the process of soil conservation within those areas and have performed a very fine service in many cases. Therefore, I believe that the general attitude which has been created by some conservationists, namely, that those who are opposed to this type of bill are a group of Neanderthals, and who do not have any idea of what the greatest heritage of our country is, are simply wholly wrong in their approach to the problem. They do not understand what we are trying, basically, to do.

I do not suppose there is any group of people who are more conscious of the need of preserving the public lands and of the need for having as a national heritage public lands, public parks, and systems of this kind, which can be preserved and used for their beauty and for the solitude that is contemplated in the bill, for hunting, for fishing, and all the other desirable uses that these lands would make possible. But this does not derogate from the conflict with the basic principle, namely, whether Congress will retain affirmative control over the public lands, or whether Congress proposes simply to delegate the whole operation to the executive department, and retain nothing except the right of veto. It seems to me that that is the basic principle with which we in this body are concerned, and which will be of great concern in the other body.

I add one more observation. I have explored, I have fished, I have hunted, I have hiked, I have camped all through these systems. I have been doing it for most of my life. I think most of us in the Senate have done so, in one form or another. We who feel that the bill should be amended are not trying to prevent its passage. We are simply trying to insure the adoption of a system which will not prevent the great majority of the people of the country from enjoying these areas, from enjoying the lands which will actually be included in the system, and insure that the lands will be those which should more properly be within that system.

We are also very carefully trying to outline for the Members of this body the basic conflict in the matter of principle. Will Congress retain control and authority over the public lands in an affirmative sense, or will we turn control over to the executive department, as is now proposed in S. 4, even as amended?

Mr. MANSFIELD. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield.

UNANIMOUS-CONSENT AGREEMENT AND ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. I have asked the Senator to yield for the purpose of propounding a unanimous-consent request. The proposal has been cleared with the two Senators from Colorado, with the minority leader, and the acting minority leader; with the majority leader; with the senior Senator from New Mexico [Mr. ANDERSON], who has done so much in behalf of the bill; and with the senior Senator from Idaho [Mr. CHURCH], who is in charge of the bill.

Mr. President, I ask unanimous consent that when the business of the Senate has been completed today, the Senate adjourn until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that beginning at 10 o'clock tomorrow morning, 1 hour be allocated to each amendment, 30 minutes to a side, the time to be controlled by the Senator from Colorado [Mr. ALLOTT], and the Senator from Idaho [Mr. CHURCH]; and that there also be 1 hour on the bill.

Mr. KUCHEL. Mr. President, reserving the right to object, and I shall not

does the majority leader contem-
ay morning hour tomorrow at 10

MANSFIELD. No.
KUCHEL. It is proposed that the
adjourn today?
MANSFIELD. Yes; and the time
bate will begin at 10 o'clock
ow.
KUCHEL. So, Mr. President, as-
that yea-and-nay votes are
d, the Senate should be on notice,
nderstand, that on or about 11
ne Senate will begin to vote on the
ed amendments.
MANSFIELD. The acting minor-
der is correct in his assumption.
KUCHEL. Very well.
ve no objection.
PRESIDING OFFICER. Is there
ion to the unanimous-consent re-
? The chair hears none, and
ut objection, it is so ordered.
MANSFIELD. I thank the Sen-
rom Colorado.
e unanimous-consent agreement,
ed to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

lered, That, on Tuesday, April 9, 1963,
e hour of 10 a.m., the Senate resume
consideration of the bill S. 4, the so-
l Wilderness Act, and that thereafter
te on any amendment, motion, or ap-
except a motion to lay on the table,
be limited to 1 hour, to be equally
led and controlled by the mover of any
amendment or motion and Mr.
RCH: *Provided*, That in the event Mr.
RCH is in favor of any such amendment
notion, the time in opposition thereto
l be controlled by the minority leader or
e Senator designated by him: *Provided
her*, That no amendment that is not
mane to the provisions of the said bill
l be received.
ordered further, That on the question of
final passage of the said bill debate shall
limited to 1 hour, to be equally divided
d controlled, respectively, by the majority
d minority leaders: *Provided*, That the
d leaders, or either of them, may, from
time under their control on the passage
the said bill, allot additional time to any
nator during the consideration of any
endment, motion, or appeal.

Mr. CHURCH. Mr. President, the
nior Senator from Colorado has made
ree arguments which I think require
me comments for purposes of clari-
ation, if for no other purpose.
First of all, he has called for amend-
ents to the bill, on the ground that
nless we amend the bill in certain im-
ortant respects, it will not be acceptable
the other body.
Mr. President, it is always open to
he other body to modify in anyway it
ay see fit measures passed by the Sen-
te; and if we in the Senate are to do
ur constitutional job, it certainly is not
ncumbent upon us to pass measures in
uch form as we think might be accept-
able to the other body. Instead, we
should pass measures which in our
judgment will constitute the best and
most desirable legislation for the coun-
try. In doing so, we do not impinge
upon the prerogatives of the other body;
instead, we discharge our own respon-
sibilities in the best and highest sense
of that term.

Second, the junior Senator from Colorado has argued that we should handle primitive areas in the way we handle reclamation projects; namely, by having special authorization by Congress prior to the time any given project is constructed.

I would agree if we were considering the establishment, for the first time, of primitive areas; if we were faced with a situation in which there were no primitive areas; and if Congress were being asked now to establish them. If this were the situation, it might be entirely appropriate to take the position that these areas should be established only upon the affirmative act of Congress.

But today we have in our national forests over 6 million acres which have been designated by the executive agencies of the Government as primitive areas. These areas have been established for periods of between 20 and 30 years. In my State alone, Mr. President, there are in excess of 3 million acres in primitive areas. The authority to establish these areas, to enlarge them, to create new ones, and to modify their boundaries was delegated years and years ago to the executive branch by the Congress.

What we are attempting to achieve by this bill is a measure of congressional control which does not now exist. In Idaho, we have waited for nearly 30 years to have these primitive areas reviewed by the Forest Service. Only this year has the Forest Service managed to complete its review of one of them, namely, the Selway-Bitterroot Area, involving portions of Idaho and Montana—an area which originally comprised 1,875,000 acres. The Forest Service has for the past 2 years studied the area, held special hearings in Montana and Idaho, and finally made recommendations—which were approved only 2 months ago by the Secretary of Agriculture—committing 1,240,000 acres of the area to wilderness, excluding and restoring to ordinary forest lands 447,000 acres which were found to be more suitable for multipurpose use, and leaving 190,000 acres in primitive area status.

Mr. President, this example should suffice to demonstrate that the executive agencies not only have the power to establish primitive areas, but also can redesignate the primitive areas as wilderness areas, without having the matter even come to Congress for any sort of consent, surveillance, or review.

The Secretary of Agriculture has announced his intention to convert another primitive area in Idaho—the Sawtooth Primitive Area, comprising 200,942 acres of land—into a wilderness area. Again he proposes to do so—using authority he now has under existing law—by the stroke of his pen; and the matter will never come to Congress for any vote or any review.

So I suggest that it is totally unrealistic to argue that this bill somehow diminishes congressional power over the public lands. The very contrary is the case. The bill seeks to restore to Congress surveillance over the portions of the primitive areas which are to be permanently included in the wilderness system; and the bill does so by providing that before the President, acting through the Secretary of Agriculture, may convert a primitive area into a wilderness area and may make it permanently part of the wilderness system, he must submit his recommendation to Congress, where it will be subject to review by both Houses, and where either House can, by majority vote, veto the proposal.

So, Mr. President, by means of this bill we are attempting to accomplish a restoration of authority to Congress, thus reclaiming to Congress a power which heretofore has been delegated to the executive branch.

Finally, Mr. President, the junior Senator from Colorado has argued that the bill constitutes some sort of impairment with respect to the development of water resources within the areas affected by the bill. He has pointed out, quite correctly, the importance of water impoundments—dams, power generators, and reclamation projects—to the West. But, Mr. President, I suggest that there are two portions of the bill which adequately assure the West continued water development, and I submit that even within the wilderness system the bill does not constitute any impediment whatever.

First of all is the provision which preserves intact the authority of the Federal Power Commission to license water projects.

In the course of the hearings it was made clear that the Federal Power Commission, which Congress has charged with the authority to license water development projects on the rivers of the West, would retain its full jurisdiction. There is no provision in the bill to the contrary which would affect that jurisdiction. So with respect to the major water developments that must be licensed by the Federal Power Commission, the bill would in no way interfere.

Second, there is provision that the President of the United States may open a wilderness area to minor water resource conservation measures, small watershed developments, so that once we would place areas into wilderness, they would not forever be removed from such activity.

Finally, need it be said that with respect to major public water projects, the Congress always retains authority—and, indeed, it is the practice of the Congress—to authorize such projects by legislation. Nothing in the bill could affect the power of Congress to authorize public water projects in wilderness areas by specific enactment. That is our practice anyway. So I suggest there is no basis for the arguments that the Senator has advanced. I hope that the Senate will not amend the bill in the ways that he has suggested.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. DOMINICK. I was particularly interested in two phases of the very interesting discussion of the Senator. First was the question of fact as to whether we would regain authority under the bill from the executive department or whether we would not. I would say that

I think we probably would. I think that is probably a correct analysis of it.

But the point I am making is that we would not regain the type of authority that we should take. With respect to the analysis of the Senator from Idaho as to what the executive department can do now and what the Congress would be permitted to do under the bill as it stands in its present form, I ask the following question: Is it not true that at the present moment there must be positive action by the Congress of the United States in order to create a national park, even though it may be out of lands classified as public lands in one form or another?

Mr. CHURCH. The Senator is correct. There must be an affirmative enactment on the part of Congress to establish a new national park. But there need be no action at all on the part of Congress, in fact, no congressional action is now taken when areas within the national forest are placed in wilderness status. That authority has long since been delegated away to the Secretary of Agriculture, and this bill would restore the prerogative of Congress.

Mr. DOMINICK. But my question really is as follows: If we must take positive action to create a national park, why should we not also take positive action in order to create a wilderness area?

Mr. CHURCH. The answer to that question is that the primitive areas are already there. In this bill we are attempting to have them reviewed within a 10-year period, and a determination made by those reviews as to what portions of the areas shall be permanently included in the wilderness system. Given those facts, if we were to require affirmative action on the part of Congress before primitive areas that are already there may be included within the wilderness system, we could not assure ourselves that each of the recommendations would ever come to the floor of either House for action.

The Senator from Colorado, having been a Member of the other body, is fully aware that many legislative proposals and many executive recommendations never get to the floors of Congress for a vote. If we were to require positive action, which would call for an affirmative vote in both the Senate and the House of Representatives before a recommendation could take effect, there would be no way by which we could assure ourselves that those recommendations would ever be acted upon in the Congress. After the 10-year review period has expired, without some action by the Congress, the bill provides that primitive area lands not acted upon would automatically be returned to regular National forest status. So the only way that we could guarantee that primitive areas would be reviewed and the Congress would act upon them is by the device that is provided in the bill giving a veto to either House, but not requiring affirmative action on the part of both Houses.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. DOMINICK. I would merely say in passing that if we should determine that that was the necessary procedure to get something before Congress in this case, it seems to me that perhaps any measure which the Senator from Idaho favored ought to be treated legislatively along those lines. Such action would seriously reduce the power of Congress.

But the other point that I wished to make was with reference to the question of whether or not the proposal might inhibit water development, reclamation projects, and the construction of transmission lines on projects that have already been authorized and constructed.

I call to the attention of the Senator from Idaho the questions that were asked of the Secretary of the Interior as they appear on page 29 of the hearings. I pointed out that water development includes more than merely plain damsites. It includes the construction of conduits—transmission lines—a great number of pieces of which must go across lands which would be included within the wilderness system under the bill as it is now written. I asked him whether the provision would not give a right of veto to the President of any particular reclamation project that might be passed by Congress. The President could say, "All right. We do not mind the reclamation project, but we are not going to permit you to build facilities for the reclamation project across the wilderness system." The answer was that obviously that could be true.

Mr. CHURCH. Mr. President, I respectfully disagree with the Secretary of the Interior in that regard. Had he had an opportunity better to consider the question and his answer, I believe he would have concluded otherwise.

First, if we are to have any new public water project in a wilderness area, it would require positive action of the Congress, and that requires Presidential consent; he must sign the bill. It is hard for me to feature why a President would sign a bill authorizing a public project and then turn around and refuse to permit the building of the project by virtue of the fact that it is located in a wilderness area. That would be an act of complete contradiction.

Second, if the project is a private project, it must be licensed by the public power commission. The bill preserves the full prerogative of the Federal Power Commission without any inhibition or limitation whatsoever.

I suggest to the Senator that his fears are not well grounded with respect to this proposed legislation.

Mr. DOMINICK. I sincerely trust that the Senator is correct.

Mr. ALLOTT. Mr. President, I intend to speak at some length on this subject. I wish to begin by remarking that no bill that has been before the Congress in the past 2 years has had as many words said about it which shed as little light or little understanding of what the bill is about as the particular measure before us.

I first encountered this matter in the spring of 1957. Since then various groups in support of a wilderness system have grown up, like mushrooms, all over the country.

What is a wilderness system? The bill describes it in some of the most wonderfully idealistic language anyone ever could conjure up:

> A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man.

There are those of us who have opposed this concept of a wilderness system for years. I shall always oppose it, because I think it is wrong. It is wrong because it is a travesty upon the great majority of the American people. I shall go into this later.

Secondly, it is wrong because the bill, as now drawn, violates the fundamental precepts of our American constitutional system.

It is also wrong because it would give to a very few people in the United States the unbridled use of land to the detriment of every other public use, whether it be mining, grazing, forestry, or plain recreation.

All those factors add up to sufficient reason, in my mind, for opposing the bill in its present form.

I say again—because it seems necessary to say it at least a hundred times to get it through the minds of some people who will not and do not wish to purvey and repurvey the truth—I am in support of a limited wilderness system. I have always been in support of a wilderness system. I am in support of a wilderness system of from 7 to 8 million acres. There is one now existing of 8 million acres.

I think we should set aside forever for the people of this country an area which will be essentially untouched by man and unbothered by man, which will be used solely for a measure of enjoyment by man of nature in its primitive state.

The facts are that there are some 65 million acres, using round figures, in primitive areas, wild areas, canoe areas, wilderness areas, wildlife refuges and game areas, and national parks which are susceptible of inclusion in the wilderness system.

The pending bill seeks to include and would include immediately in the wilderness system all of the primitive areas, all of the wilderness areas, all of the wild areas, and all of the canoe areas.

The question is, What should we do? There is one big question, aside from the problem of improving the language of the bill and making it more workable. The big question is, How should we include these areas within the wilderness system? How should we add to the 8 million acres?

I wish to point out a few things about the 8 million acres which are now in the wilderness system. Some 1¼ million acres were added in the past year by administrative action taken in the Department. This is one reason why I want a bill passed. I say to those who are sponsors of the bill, they are no more anxious to have a wilderness bill passed than I am, except that I should like for Congress to take a hard, affirmative look

every acre of land which is to come under the system afterwards.

The testimony has been undisputed before the committee for several years that not more than 1 percent of all the people who use the Federal public land areas—the forests, the parks and everything else—use the wilderness system.

Before the administrative action was taken last year, those people already had available for their use 8 percent of all of the land of the public domain, set aside in wilderness areas. So the 1 percent of the people who use our public lands, before the administrative action was taken last year, had the use of 8 percent of the land. They had 8 times as much of the use of the land, in proportion, as did the people who used the national parks, the national monuments, and things such as that, in the ordinary sense in which we use them.

What happened last year was that there were approximately 1¼ million acres added—whatever the figure was; at least a million acres—in the Selway-Bitterroot Area of Idaho. That raised the proportion. Now the 1 percent of the people who use our public lands have 12 percent of the public lands set aside for their use—12 percent is set aside for their exclusive use.

I am somewhat of a realist. I can appreciate the great cultural values some of these people feel these lands might have. When they have 12 times as much land set aside for their use as the ordinary individual does, I think they are getting somewhere near their equal share of the public land use.

There is a more impelling reason why we should not go beyond this at the present time. If Senators will read the bill, they will find that no one could go into these areas except man on his two legs or on horses. There are to be no roads. No motorboats will be allowed, except where they have been customarily used, and they will be regulated out as fast as they can be. There will be no machinery of any kind in these areas. There will be nothing allowed in the areas except man on his two legs and on horses.

What will this mean in practical terms and effects? I do not care what the supporters of the bill have said to the contrary, the facts are it is not within the financial realm of the average man who takes his family on a vacation to rent an outfit with a guide and horses, as well as pack horses and the necessary equipment, to go into a wilderness area. I do not care what anybody says to the contrary, we shall be establishing here, mainly, a wilderness system for people of more affluent means, denying the area and its enjoyment for the most part to people of ordinary means.

But there is another reason for opposition. No roads are to be provided. I do not have the figures with me, but we all know that there is a growing number of people who are retired, who have reached the ages of 60 and 65. They have retired, and now, perhaps for the first time in their lives, they have sufficient time to utilize these facilities, to have some of the pleasures of life, after having worked for so long.

There is not one person in a thousand of that age who has the physical stamina to put a pack on his back or to ride a horse into a wilderness area 25 miles in order to enjoy the use of that area, even if he had the money to hire a horse and guides. Frankly, most of them have no business in those areas without guides, having lived a more sedentary existence all their lives. They have no justification physically for walking or riding into those areas.

So what have we done here? We have already locked up 12 percent of our public lands, and the most beautiful areas in the United States. They are not locking up any old swamp or merely mediocre views, or anything like that, for the 1 percent of the population; they are locking up 12 percent of the most beautiful, wild, primitive country we have between the Atlantic and the Pacific.

Now, I think there is a case to be made for pure justice and pure equity. Consider that our people from 60 to 65 years of age cannot have access to a road where they can view those parts of the country, because no roads are permitted in them. On the other hand, how well are we going to treat the 1 percent of our population, this handful of people who are reaching out for more and more of this land? They are not satisfied with the 8 million acres that they have now. Under this bill 65 million acres of land are subject to reclassification as wilderness area, and this is what they are reaching out to grab.

As a matter of compromise, I am perfectly willing, personally, to go along with the 8.2 million acres they now have. But it seems to me we are going as far as we should go.

This brings me to the amendment which I have offered, and which I intend to offer again tomorrow morning, to provide that, just like the park system, no more lands shall be included in the wilderness system unless Congress has acted affirmatively.

I think my colleague from Colorado [Mr. DOMINICK] very beautifully and brilliantly illustrated this point just a few minutes ago. Fortunately, we have not given authority to the Secretary of the Interior to throw any lands he wants to into this system. Congress has retained jurisdiction for that purpose.

On February 20 of this year, the following Senators all joined me in offering an amendment to Senate bill 4: Messrs. BARTLETT, BENNETT, CANNON, DOMINICK, FONG, GOLDWATER, HAYDEN, JORDAN of Idaho, LAUSCHE, MECHEM, MUNDT, RANDOLPH, SIMPSON, and THURMOND.

This amendment is not now in print, having been submitted to the Committee on Interior and Insular Affairs.

I ask unanimous consent that it may be printed in the RECORD at this point in my remarks, and that it may also be printed for the use of the Senate.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table; and, without objection, will be printed in the RECORD.

The amendment is as follows:

(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment Congress approves a concurrent resolution declaring itself in favor of such recommendation: *Provided*, That, in the case of a recommendation covering two or more separate areas, such resolution may be limited to one or more of the areas covered or parts thereof.

Mr. ALLOTT. Mr. President, I shall discuss this amendment more fully tomorrow.

In order to understand this problem and all its ramifications, there are certain things that need to be known. First of all, let us face it squarely—this is not a conservation bill. I repeat, this is not a conservation bill. The word "conservation" is mentioned in the bill only once.

As a man who has lived all his life in the West, I think I understand conservation about as well as anyone. I have been a fan of conservation measures, and I may say even a rabid supporter.

In my opinion, the bill as it is now constituted is not going to conserve anything. It is going to lock up areas for the use of a few. But the conservation aspects of the bill are completely lacking.

I should like to underscore again the fact that this is not a conservation measure. If a bill locking up areas which may not receive the benefits of conservation is called a conservation measure, then we have reversed the meaning of conservation in this country. The word "conservation" is mentioned in the bill only once. I do not see mentioned anywhere in the bill the fact that conservation is one of the purposes hoped to be accomplished.

In order that the record may be completely clear, there are in the national forest, wild, wilderness, and canoe areas, 8,220,403 acres.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. GOLDWATER. Can the Senator tell me how many acres there are in my State of Arizona?

Mr. ALLOTT. The figures I have before me show 422,990.

Mr. GOLDWATER. I thank the Senator.

Mr. ALLOTT. In the National Park System there are 22,560,000 acres.

In the lands not now permanently withdrawn from resource use, there are in the national forest primitive areas 6,098,532 acres.

There are 28,554,014 acres in the National Wildlife Refuges and game areas.

That makes a total of 65,432,949 acres that are susceptible of inclusion within the wilderness areas.

I ask unanimous consent that I may include in the RECORD at this point a table

showing Federal ownership or management of land in 11 Western States. The table shows, I may say for the benefit of the distinguished Senator from Arizona [Mr. GOLDWATER], who is on the floor, that 71.3 percent of the State of Arizona is owned by the Federal Government.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Federal ownership or management of land in 11 Western States*

	Total land area (thousand acres)	Federally owned land [1] (thousand acres)	Percent of total land area	Managed by Federal Government Indian tribal lands (thousand acres)	Percent of total land area	Federally owned or managed lands (thousand acres)	Percent of total land area
Arizona	72,688	32,396	44.6	19,383	26.7	51,779	71.3
California	100,314	45,071	44.9	496	.5	45,567	45.4
Colorado	66,510	24,156	36.3	746	1.1	24,902	37.4
Idaho	52,972	34,050	64.3	409	.8	34,459	65.1
Montana	93,362	27,815	29.8	1,557	1.7	29,372	31.5
Nevada	70,265	60,726	86.4	1,062	1.5	61,788	87.9
New Mexico	77,767	27,300	35.1	5,815	7.5	33,115	42.6
Oregon	61,642	31,580	51.2	1,208	2.0	32,788	53.2
Utah	52,701	36,466	69.2	2,253	4.3	38,719	73.5
Washington	42,743	12,666	29.6	1,813	4.2	14,479	33.8
Wyoming	62,404	30,219	48.4	1,753	2.8	31,972	51.2
Total	753,368	362,445	48.1	36,495	4.8	398,940	52.9

[1] Excludes trust properties, Indian tribal lands.

Source: Statistical Abstract of the United States, 1960.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield.

Mr. GOLDWATER. I might point out that in my State of Arizona, when we add the State-owned land to the Federal-owned land, the total is 88 percent. In other words, the fastest growing State in the Nation must get along, taxwise, by taxing 12 percent of the available land.

I suggest that in the days when my State had fewer than a million people, and the density was two or three persons to the square mile, we could live under those conditions. However, what the Federal Government is doing by forcing more and more land in the West under Federal control is to hasten the day when the Western States will not be able to tax themselves adequately to run their own governments. Of course, when this happens, the only place that we will be able to turn to will be the Federal Government. That is something that we westerners do not like to do.

It is unfortunate that when the Original Thirteen States formed our Union they, too, were not subjected to some kind of giving away of their land in order to become members of the Union.

Frankly, I believe that if we westerners had known before what we know now, many of our communities would not be States of the Union, but would still be territories. I say that because, frankly, we were better off as far as the ability to live our own lives was concerned.

In my State we have 16 national monuments, 2 national parks, and 2 national recreation areas. I forget how many wildlife areas we have. Still the effort is to put more and more land under the control of the Federal Government, instead of continuing with the rather time-honored and time-proven concept of multiple use of the lands in the West.

I suggest that our eastern friends, who are so eager to have the West become a giant national park, might try to imagine their own State problems if they were to have in their own States their own lands subjected to ownership by the Federal Government.

I might say, in passing, because I see on the floor my good friend from Idaho, sitting in the majority leader's chair, that, as he well knows, one of my favorite fishing spots in the whole Nation is in the Middle Fork of the Salmon River in Idaho. I remember when that was truly a wilderness area, when it was hard to get in, and when it meant perhaps a 2½-day pack trip to get to the Middle Fork of the Salmon River. It was opened up. I do not know if it is a wilderness area, as such. However, it is some kind of wildlife area.

To me that was one of the most beautiful streams in the world. Although it has retained its beauty, the area has been opened up to people who have no appreciation for this kind of scenery. The last time I was there I saw empty beer cans and empty whisky bottles, and fish still lying around the campsites, and the campsites uncleaned. Instead of preserving these areas as wilderness areas, the tendency is to have them more and more opened up. The public will demand that they be opened up. As a result they will lose their scenic value. I am in hearty accord with the preservation of areas for people who really like to get into the wilderness, or get out into the open, as we say, and use it. However, I am not in favor of opening it up to the abuse of people who want to say they have been there and in the process leave their trade mark.

Mr. CHURCH. Mr. President, will the Senator from Colorado yield, so that I may respond to the Senator from Arizona?

Mr. ALLOTT. I yield for that purpose.

Mr. CHURCH. The area to which the Senator from Arizona refers is, of course, an Idaho primitive area. I know the Senator loves the area very much. He has taken some wonderful photographs of the area on the occasion of his trips into it in the past. I say to him that one of the purposes of the proposed legislation is to prevent a further opening up of the area, which is what has occurred in past years, so that the scenic and wilderness values, which are the predominant values, can be preserved, and so that the wildlife and the watershed can be preserved as well. In this sense, the bill is not only a wise conservation measure, but also a measure to prevent the continuation of the very process the Senator has lamented.

I might just say in passing, in all good humor, that I have listened with interest to the remarks of the Senator with respect to the burdens of statehood. I would say that it is open to him to sponsor legislation to restore Arizona to territorial status. If a persuasive case can be made, I believe Congress would listen with fascination to the advocacy of such a proposal by the Senator from Arizona.

Mr. GOLDWATER. I might say that I doubt Congress would seriously consider, or that even the New Frontier would seriously consider, such a proposal, because we pay about $300 million a year into the National Treasury. I do not believe they are about to let go of a fat plum like that.

My reference was to the days when we became territories and then later States, when we did not have big populations, and when Federal ownership of lands, even in Idaho and in Montana, was of no great consequence. We never gave it any thought at all. Today, in a State like my own, which is the sixth largest State from a geographical standpoint in the United States, we find ourselves with these national parks and national monuments and national recreation areas located in our State, and approximately 19 Indian reservations, taking up about 88 percent of the State. We do not like to lose any more of the 12 percent of the land, because we are up against the wall now.

There is another point that I should like to raise and with respect to it ask a question of my good friend from Idaho, if the Senator from Colorado will yield for that purpose.

Mr. ALLOTT. I yield.

Mr. CHURCH. First I should like to respond to the Senator from Arizona by saying that the pending bill does not involve the acquisition of so much as a single acre of additional Federal land; all of the land involved is already owned by the Federal Government; so it will not impose any heavier burden upon the Western States, where, I agree, Federal ownership is very large. The bill does not enlarge that holding whatever.

Mr. GOLDWATER. I am happy to be reassured on that point by the Senator. This is the point that bothers me. I know what the intention of the writers of the bill is. I can say that I am in accord with it, but I am troubled by this point. The Senator says that the Idaho Wilderness Area, if it becomes a part of the public land, will be preserved in its present form and condition.

ve asked this question of the Sec- of the Interior, Mr. Udall, with t to a large section of land near Mountain, in southern Utah, in ild Horse Area, about which Zane wrote, and with respect to Navaho tain, where I run a trading post, ea consisting of about 15 million which he wants to make into a lled wilderness area. What is going ppen when the eastern tourist or estern tourist cannot get in there? if he cannot get in there because es not like to ride a horse and he not like to walk, perhaps because s not heard of the 50-mile program, instead, likes to drive his car on ed road and find good accommoda- when he gets there? My question n the Interior Department and can organization set up to administer ill and can Congress withstand pres- to provide the funds to open these es? That is what bothers me.

. CHURCH. Mr. President, I should to respond to the question of the ator from Arizona [Mr. GOLDWATER].

r. ALLOTT. Mr. President, I yield e Senator from Idaho to permit him espond; then I should like to resume discourse.

r. CHURCH. The very pressures ch the Senator from Arizona fears pressures which are genuinely feared he supporters of the proposed legis- on. We feel that an enactment of kind will provide better guarantees t wilderness areas can be preserved their primitive state than will the ence of such legislation. Without h legislation, it is much more likely t the pressures will not be withstood l that the small portions of the wil- ness which still remain to us will ish. This is one of the chief rea- s why I support the bill.

Mr. ALLOTT. Mr. President, I should e to respond, since the Senator from izona has raised this question. I am oking at a map which is included in e hearings on S. 174, the wilderness l, held in 1961. I am looking at page 4, which has facing it a map of Colo- do and a map of Arizona, showing eas which are susceptible of inclusion the wilderness system.

Everyone who desires to have some nd of beauty retained in our moun- ins must ask himself a question. For ample, if one looks at the wilderness eas in Colorado, he observes that it very hard to establish a camp on the de of one of our mountains which rise 14,000 feet. Ultimately, in the wilder- ess areas of the West, one is reduced a relatively few locations where camps an be established.

The next question one must ask him- elf is this: After 30, 40, or 50 parties ave camped in those few areas which re suitable for camping, and consid- ring the tin cans and other refuse, ncluding the residue left by horses, how nuch suitable area will be left untram- neled by man and his four-footed riends? The answer is: Not too much So the proposal to include more and nore land in the bill is unrealistic.

The Senator from Arizona mentioned the multiple-use concept of land. I wish to discuss that point. Since the passage by Congress of the multiple-use law, this would be really the first time that that law would be completely abrogated. Congress included in the multiple-use law the use of areas for a wilderness system. I think this is one of the proper uses. But we simply cannot afford, as I pointed out to the Senate 2 years ago, to put all our land—some of it our best land—into wilderness and lock it up so that it can never be touched again.

Mr. John Wolfe, a prominent Colorado geologist, made an impressive statement before the Committee on Interior and Insular Affairs this year. He pointed out that the great portion of the mineral wealth of Colorado lies beneath the wilderness areas which would be set aside by the bill. The same is true of other States. When we begin to talk about conservation and the use of land, I think we are entitled to talk about multiple use. When 12 percent of all the public lands of this country are already locked up for a single use—as wilderness areas—merely to enable people to breathe fresh air, I think we have reached a place beyond which we should not go until Congress has had an opportunity to consider the proposal and gage it affirmatively. The multiple-use theory with respect to land has been accepted by Congress and has been adopted by Congress. I think it should be retained by Congress.

When we hear what is proposed to be done with the land, I think it should be pointed out that in the 11 States of the West—Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming—the value of the farm, mine, and forest products is $6,369 million. The value of the mineral production is $3.8 billion; the value of forest products is $3.3 billion.

As in the State of the distinguished Senator from Arizona [Mr. GOLDWATER], Federal land ownership is substantial in Colorado, roughly, 35 percent. That means that we who live there must bear a greater proportion of the expense of our State than we would if we had the opportunity to convert Federal lands to private ownership; but we do not have that opportunity.

At the time a similar bill was considered by the Senate 2 years ago, the proponents did not pay any attention whatever to impending report of the Outdoor Recreation Resources Review Commission. The reason was that the report had not been completed at that time. But the proponents were perfectly willing, anyway, to establish wilderness areas, even though some $2 million had been spent on the Outdoor Recreation Resources Review Commission and the study which it had made. Congress nevertheless proceeded to consider wilderness legislation.

Now the report of that Commission is before us. What did that "blue chip" Commission, of which the distinguished Senator from New Mexico [Mr. ANDERSON] was a member, say about wilderness areas. Speaking of primitive areas, the report said:

> Areas in this class are inspirational, esthetic, scientific, and cultural assets of the highest value. They, and they alone, satisfy the longing to leave behind for a time all contact with civilization. Fortunately, they are a resource of which the country still has an abundant supply and which it can afford to preserve from other uses for the benefit of future generations. At the same time, it must be recognized that there are some areas which meet the physical requirements of this class but which for economic and social reasons are more valuable for other purposes.
>
> The recommendation is that primitive areas should be carefully selected and should be managed for the sole and unequivocal purpose of maintaining their primitive characteristics.

What the Commission said was that some of the lands may be valuable for other purposes than as wilderness areas. With that statement I agree.

Mr. President, turning now to the bill, it contains several items which I think should be considered very carefully.

On page 17 we find the following provision in regard to grazing:

> The grazing of livestock * * * shall be permitted to continue subject to such restrictions and regulations as are deemed necessary by the Secretary having jurisdiction over such area.

Mr. President, in the committee I tried unsuccessfully to have the word "restrictions" stricken, because I believe that word has a connotation in the bill which is not justified. So, Mr. President, tomorrow I shall try again to have that word stricken.

The word "restrictions" is also used in connection with motorboats, on page 16. I think there is no question that it is the intention of both the Secretary of Agriculture and the Secretary of the Interior to restrict the use of motorboats. However, with respect to this matter I notice the provision that—

> The President may * * * authorize prospecting (including but not limited to exploration for oil and gas), mining (including but not limited to the production of oil and gas)—

And so forth, and so on.

The point is that "restrictions" and "regulations" either mean the same thing or else "restrictions" further qualifies "regulations." I believe it rather significant that the portion which refers to the President's action provides for "regulations," but the bill provides that there will be "restrictions" in regard to the use of motorboats. If anything is to be done with respect to grazing in the wilderness system, I believe such a provision should be included under "regulations," not "restrictions." In my opinion and, I believe, in the opinion of most persons, the word "restrictions" carries with it the right arbitrarily to establish a guideline which must be followed, whereas the word "regulations" implies a limitation under a definite set of guidelines which will remain constant and will not be subject to the whim or fancy of the Secretary of Agriculture or the Secretary of the Interior.

Therefore, Mr. President, I send to the desk an amendment relating to these words. I ask that the amendment be printed.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The amendment will be received and printed, and will lie on the table.

Mr. ALLOTT. Mr. President, in the next few minutes I propose to discuss briefly several amendments which I shall send to the desk and ask to have printed.

I turn now to another amendment relating to page 17 of the bill. This part of the bill has caused us a great deal of concern and trouble. I refer to the provision of the bill that:

(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable,—

And so forth.

My amendment would substitute the words "appropriate Secretary" for "the President." I believe it perfectly obvious to anyone—and tomorrow I shall discuss this matter at greater length—that no one would have access to the President, for the purpose of securing authority to explore for minerals or "the establishment and maintenance of reservoirs, water conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance," and so forth. Of course I believe those who drafted the bill desire to place that power in the hands of the President, because no one would have access to him. However, if we wish this provision to be meaningful, and if we really mean what we provide in the bill when we include the provision that this can be done whenever the public interest demands it, let us put the authority in the Secretary, and permit him to take action.

So, Mr. President, I send the amendment to the desk, and ask that it be printed and lie on the desk until tomorrow.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. ALLOTT. Mr. President, I also call attention to the review provided by the bill. On page 10 of the bill we find the following provision:

Provided, further, That where a resolution of opposition to any such recommendation has been introduced, a hearing thereon shall be held within thirty days by the committee to which such resolution has been referred.

The difficulty arises from the fact that 30 days is too long a period of time. The Reorganization Act of 1949—and the procedures under the bill are subject to that act—contains a provision that immediately after 10 days following the filing of any resolution and its referral to a committee, any Member of the House or any Member of the Senate may move to discharge the committee from the further consideration of the resolution. But if such a motion were made on the 11th day, for example, the committee would not be required to hold a hearing for 20 days after that, but still be in compliance with this provision of the bill.

So this amendment is a simple one which provides that the word "thirty" be changed to the word "five", so that the committee will have to hold a hearing within the limitation time provided under the Administrative Procedures Act, and so that the Member of the House or the Member of the Senate who makes the motion to discharge the committee from the further consideration of the resolution will have in his hand, when he comes to the Senate or to the House, as the case may be, a hearing upon the resolution, and will have an opportunity to question and to cross-question witnesses and to provide a record and to have the record available for debate.

Mr. President, I ask that this amendment be printed and lie on the table until tomorrow.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield to the distinguished Senator from Montana.

Mr. METCALF. Would the amendment be an amendment to a provision of the Reorganization Act or the provision on page 10, line 14, which reads "shall be held within thirty days"—so that it would read "five days"?

Mr. ALLOTT. It is an amendment to line 14. "Thirty" would read "five".

Mr. METCALF. There would be no change in the other provisions of the Reorganization Act?

Mr. ALLOTT. No, the amendment would not affect the Reorganization Act, as such, or the Administrative Procedure Act.

Mr. METCALF. I merely wished to be clear as to the effect of the proposed amendment.

Mr. ALLOTT. The amendment would only change the time of hearing from 30 days to 5 days, so that anyone who would desire to avail himself of the so-called advantages of the bill would really have some advantage he could take.

Mr. President, tomorrow I shall offer another amendment which would deal with page 3, line 23. I shall not discuss the amendment in detail today. The gist of it is that primitive areas would not be placed within the wilderness system following enactment of the bill, but, they would be assured their preservation in their present category and their protection until such time as they could be classified by the appropriate Secretary and recommendations made as to their exclusion from or inclusion in the wilderness system.

I ask unanimous consent that the amendment be printed and lie on the desk. I am sure that members of the committee fully understand the purpose of the amendment.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 3, line 23, strike out all through line 3 on page 6 and insert in lieu thereof the following:

"(b) (1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, or canoe: *Provided,* That the areas within the national forests classified as primitive may be included in the wilderness system as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. While being reviewed and until action is taken as provided by this subsection, primitive areas shall be administered so as to preserve their present status and condition. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided,* That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be included in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value; *Provided further,* That following such exclusions and additions any primitive area recommended to be included in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the inclusion in the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided,* That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a primitive area and shall be administered as other national forest lands: *And provided further,* That primitive areas with respect to which recommendations are submitted to Congress on the eighth, ninth, and tenth years of the review period herein provided shall retain their status as primitive areas until the expiration, in respect to each area, of a full session of Congress, two years for resubmission of revised recommendations to Congress by the President, and, if so resubmitted, until the expiration of a full session of Congress thereafter. Recommendations on all primitive areas not previously submitted to the Congress shall be made during the tenth year of the review period. Any primitive area, or portion thereof, on which a recommendation for inclusion in the wilderness system has not become effective within fourteen years following the enactment of this Act shall cease to be a primitive area and shall be administered as other national forest land."

Mr. ALLOTT. Mr. President, on page 17 of the bill is a section which, as I have stated, has caused us much trouble. There is a provision that purports to refer to mining, which I wish to discuss. I have already pointed out that

xt to impossible—if not impossi-
r anyone to get the President's
r the purpose of determining
r or not a certain area should be
d and mined for oil, gas, or other
ls. The amendment which I pro-
ould affect the mining provision
is now in the bill, which is utterly
ngless, and which would never
ny effect.

President, I ask unanimous con-
that the amendment may be
d, that it lie on the table until
ow, and that it be printed at this
n the RECORD.

PRESIDING OFFICER. The
iment will be received and printed
ill lie on the table; and, without
ion, the amendment will be printed
e RECORD.

e amendment is as follows:

page 17, line 1, strike out all through
on line 14 and insert in lieu thereof
llowing:

Within national forests and public
n areas included in the wilderness sys-
(A) Notwithstanding any other provi-
of this Act, until midnight, December
77, laws of the United States pertain-
mineral leasing and mining shall, to
ame extent as applicable prior to the
ive date of this Act, extend to all lands
ed by this Act; subject, however, to
reasonable regulations as may be
ribed by the Secretary having jurisdic-
over the area consistent with the use of
and for mineral development and ex-
tion drilling. Subject to valid rights
existing, effective January 1, 1978, the
rals in lands designated by this Act as
rness areas are withdrawn from all
s of appropriation under the mining
and from leasing under the mining
and from leasing under the Mineral
ng Act and all amendments thereto.
ided, That after December 31, 1977, the
opriate Secretary may, within a specific
and in accordance with such regula-
as he may deem desirable, authorize
pecting (including but not limited to
exploration and production of oil and

B) The appropriate Secretary may with-
specific area and in accordance with
regulations as he may deem desirable
horize the establishment and main-
nance of reservoirs, water-conservation
ks, transmission lines, and other facilities
ded in the public interest, including the
construction and maintenance essential
development and use thereof, upon his
ermination that such use or uses in the
cific area will better serve the interests
the United States and the people thereof
n will its denial; and (C)".

Mr. ALLOTT. Mr. President, I have
e final amendment which I shall offer
narrow. I am making my remarks
that Senators may be aware of the
ture and the purposes of my amend-
nts. The amendment, relating to
ge 21, line 9 of the bill, would strike
t the section of the bill concerning a
d use commission, a provision which
s inserted in the bill to affect one
ate. I believe there is no justification
r treating any one State any differ-
tly from another. In this instance the
ecretary of Agriculture himself recom-
ended that we exclude that provision
om the bill.

Mr. President, I send the amendment
the desk and ask that it lie on the
ble. I ask unanimous consent that
may also be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 21, line 9, strike out all through line 4, page 22.

Mr. ALLOTT. In conclusion, we should have a wilderness system. We should have a wilderness bill. I desire to be protected from the precipitous actions of our Secretaries of Agriculture and our Secretaries of the Interior. We have found that they are capable of precipitous action. We found that they were capable of such action when they included the Selway-Bitterroot area last year.

It is my hope that we could have a wilderness bill which would protect all Americans—not merely those who desire wilderness, but also those who are interested in true conservation, those who are interested in the development of the West, and those who wish to see restored to Congress control of that portion of our congressional duties which we have relinquished. As the distinguished Senator from Idaho has said, it is true that, under the bill, we would have more control than we have had. But we would not have the control that we should have. What is needed is the right and the power to exert control over lands that are going into wilderness areas in the same way that we do lands that go into the national park system. Otherwise we will actually have abrogated much of our responsibility and our power, and we will be afflicted with more woes than Job ever was.

Mr. METCALF. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield.

Mr. METCALF. So that the discussion will be in today's RECORD and available for Senators to read, I desire to take some time to discuss the power which the Senator from Colorado suggests we should recapture. As was very brilliantly outlined by the Senator from Idaho [Mr. CHURCH], who is handling the bill, we are only dealing with Federal land that has a certain specific use. We are recapturing some of the power that we delegated 30 to 50 years ago.

Mr. ALLOTT. Is that not the statement I just made?

Mr. METCALF. Yes.

I wish now to talk about the other Federal land, about which the Senator from Arizona was concerned, land with which all of us in the Western States are concerned. That is all the other Federal land that is not incorporated in a primitive area, in a national park, in a wilderness area, in a fish and wildlife or in a canoe area. As to those vast Federal lands, the bill would give authority to Congress that the Senator is seeking.

The bill provides that no new wilderness area shall be created out of areas that are not now under wilderness use or under use similar to wilderness use without an affirmative and specific act of Congress.

Mr. ALLOTT. If the Senator's statement is in the form of a question, I shall be happy to answer. The Senator is completely correct. But the fact is that it is a statement without meaning. None of the areas of which he has spoken will ever be included in the wilderness areas because they would not be useful for that purpose. It is not that kind of area and not that kind of land.

As far as I know, at the present time the Department of Agriculture has already classified as primitive areas and as wilderness areas almost every strip of land in this country which could possibly be classified as such.

The Senator from Colorado was a faithful attendant at the hearings. The Senator will recall that several witnesses suggested that, contrary to our prediction a few years ago, the amount of land in wilderness and primitive areas in the national parks, and so forth, has grown in the last few years. Right now some of the people who were proponents of the measure are suggesting that other wilderness areas and other primitive areas in other parks shall be created. Under present law, as the Senator from Idaho has said, such areas could be created by a stroke of the pen. If the land is national forest land, the area could be created out of the national forests by a decision of the Secretary of Agriculture. But if the bill should pass, we would have to have an affirmative act to create a wilderness area just as we create a national park or authorize a Bureau of Reclamation project.

I merely wish to say to the Senator that if, under section (h), page 11, of the bill, he is perfectly happy to have other areas reviewed affirmatively, I can see no real basis for differentiation as to why we should have a different system for the areas that have been qualified as wilderness areas.

Mr. METCALF. Merely because——

Mr. ALLOTT. I should like to remind the Senator that I have the floor. I yielded to him. I at least want to keep enough control so that I can answer in full before I yield to him again.

The fact is that the Senator was talking about areas which are outside of the primitive, wild, park, game refuge, and so forth, areas, and the Senator says, "This is all right." There is no justification for making a distinction as between the two. I made this statement before the Senator took his feet: I agree that by the bill, if it should become law—and the Lord forbid that it ever should become law—we would be recapturing a portion of the powers which we delegated away a long time ago. The point is that we would not be recapturing enough. We would not recapture enough so that the Congress would consider every acre which was to go into a wilderness system on exactly the same basis it considers every acre which is to go into the park system.

Mr. METCALF. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield to the Senator.

Mr. METCALF. I thank the Senator.

I did not mean for the discussion to be a series of questions. I merely wished to discuss with the Senator a phase which the senior Senator from Colorado

and the junior Senator from Colorado had omitted.

I refer to the effect of the bill on other areas of the public domain which are not included in these various categories.

I should like to cite, for information, the ORRRC report, which the Senator from Colorado cited. On page 132 of the report there is the quotation:

Portions of national forests, parks, monuments, wildlife refuges, game ranges, and the unreserved public domain meet the basic criteria of primitive areas.

Mr. President, I ask unanimous consent that an excerpt from the report, from which I have quoted, may be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Portions of national forests, parks, monuments, wildlife refuges, game ranges, and the unreserved public domain meet the basic criteria of primitive areas. The natural environment has been undisturbed by commercial utilization, and they are without roads. Some of these areas are managed for the purposes of wilderness preservation under broad statutory authority. Certain class V areas of more than 100,000 acres in national forests have already been set aside by the Secretary of Agriculture as wilderness areas. Others between 5,000 and 100,000 acres have been set aside by the Chief of the Forest Service as wild areas.

There is widespread feeling, which the Commission shares, that the Congress should take action to assure the permanent reservation of these and similar suitable areas in national forests, national parks, wildlife refuges, and other lands in Federal ownership. The objective in the management of all class V areas, irrespective of size or ownership, is the same—to preserve primitive conditions. The purpose of legislation to designate outstanding areas in this class in Federal ownership as wilderness areas is to give the increased assurance of attaining this objective that action by the Congress will provide.

Mr. METCALF. I now skip some of the excerpt, to the point:

There is widespread feeling, which the Commission shares, that the Congress should take action to assure the permanent reservation of these and similar suitable areas in national forests, national parks, wildlife refuges, and other lands in Federal ownership.

I am suggesting that by the passage of the bill, with respect to other lands in Federal ownership and the unreserved public domain, we would be recapturing for the Congress an affirmative declaration of congressional action to create a wilderness out of those lands, which is sought by the two Senators from Colorado.

Mr. ALLOTT. Then the Senator is recommending, as I understand, that other lands should go into the system, other than those contemplated by the pending bill?

Mr. METCALF. I am not recommending. The ORRRC report so recommends.

Mr. ALLOTT. I thought the Senator was citing it with approval.

Mr. METCALF. I was citing it in response to the suggestion made by the Senator from Colorado that there were no lands other than the primitive areas, and so forth, which were capable of wilderness use. I was suggesting that there are people, including the authors of the ORRRC report, who say that there are other lands in the public domain and national forests which meet the criteria for wilderness, and who wish to incorporate them into a wilderness system.

Mr. ALLOTT. I know that the Senator argues his point with great sincerity and with great belief in what he says. I should like to invite attention to the same section of the report to which the Senator has referred. On page 131 of the ORRRC report, it is stated:

Recommendation 8–6: Congress should enact legislation providing for the establishment and management of certain primitive areas (class V) as "wilderness areas."

There was nothing in the report about classifying all primitive areas as wilderness areas. That is what we would be doing, under the form of the bill as it is now being considered. We would include all primitive areas to start with in the wilderness system.

Mr. METCALF. The very next paragraph, which I have had printed in the RECORD along with my remarks, lists the national forests, national parks, monuments, wildlife refuges, game ranges, and the unreserved public domain, as meeting the basic criteria of primitive areas, as being lands which should go into the wilderness system.

Mr. ALLOTT. I have one question for the Senator. It is more a rhetorical question than an actual one.

If the affirmative action of the Congress is the proper way to bring in the other areas, why is it not a proper way to apply to the present bill?

Mr. METCALF. As the Senator from Idaho so eloquently pointed out, these areas are now and have been for more than 30 years primitive, for wilderness use. We would only continue the basic use which has existed for more than 30 years. We would not be using any of these acres of land for anything else; whether national parks, primitive areas, or designated as wilderness.

Mr. ALLOTT. I should have to disagree with the Senator, because if the primitive areas come into the wilderness system under the terms of the bill, even though there may be mining and some forestry in some of the primitive areas now, there would not be any in the future.

Mr. METCALF. For 30 years these lands have been administered substantially as wilderness areas.

Mr. ALLOTT. There has been mining and some forestry. So if we should bring the lands into the wilderness system under the terms of the bill, all that would stop immediately.

Mr. METCALF. The very purpose of the review is to protect the interests which have been created. The people involved have had an opportunity during all of these past years to go in and prospect the lands. They have not lumbered in these areas. They have not built roads into these areas. By and large, substantially they have been administered in the same manner as wilderness areas or national parks for 30 years.

What we are seeking, under techniques which have been established for many years in the Congress, under the provisions of the Reorganization Act, is to quickly take care of those lands that have a basic wilderness use, and then to provide that in respect to any future creation of a wilderness area Congress will, as the Senator from Colorado desires, affirmatively authorize such creation and establish the boundaries in the same way as a law is passed.

Mr. ALLOTT. Mr. President, I merely say to the distinguished Senator that I know the way he feels. I can hardly sympathize with his point of view, because in my opinion there is no justification for arguing that the Congress should affirmatively review areas outside of the specified ones which might possibly be included in the future. I do not think any of these lands would come in, because mostly they are not of a quality which would classify them as wilderness areas. But there is no basis in fact for a distinction as to justifying one method for these lands and another method for the lands which are included under the terms of the bill at this time.

Mr. METCALF. Mr. President, I thank the Senator from Colorado for yielding to me.

Mr. ALLOTT. I was happy to do so.

Mr. DOMINICK. Mr. President, will my colleague yield to me?

Mr. ALLOTT. I am happy to yield to my distinguished colleague.

Mr. DOMINICK. I was intensely interested in what my colleague said, for I consider it to be an extremely fine analysis of the bill and the problems inherent in its consideration.

There is one question which I think might pinpoint the discussion the Senator was having.

It is my understanding that we in the Congress must take affirmative action to include within the wilderness system all lands now not classified in specific uses. Second, we must take affirmative action to take from forest lands particular portions and put them in national parks. Third, we must take specific action to authorize reclamation projects, part of which may be within the public lands—a great deal of which in fact are within the public lands system.

Can my colleague see any justification for making the sole exception to the generally conceded procedure the lands which are classified in this bill as primitive lands?

Mr. ALLOTT. I shall have to answer my distinguished colleague in the negative. I am at a loss as to any legal reason or other method of logic which would say that we should change the method for bringing in the primitive areas, to make it different from all the instances my colleague has cited. The logic of such a conclusion escapes me.

Mr. DOMINICK. Does the distinguished Senator have any specific example he might give in which the type of procedure contemplated under the pending bill is applied to any other substantive legislation?

Mr. ALLOTT. Of course, the Senator is aware that it is applied to recommendations of the President for reorganization of Government and it has been used in that respect, but I do not know, on hand, of another one that occurs.

Mr. DOMINICK. Are not those recommendations solely concerned with the executive department?

Mr. ALLOTT. They are solely concerned with the executive department.

Mr. DOMINICK. Would the Senator think that was substantially different from what the responsibility of Congress is with respect to our national resources and our public lands?

Mr. ALLOTT. It occurs to me the responsibility is entirely different. The act to which I previously referred, under which the President makes recommendations to reorganize the executive departments, grew out of the Hoover report. They said, "We want to go ahead with the reorganization of our Government. We want to give the President the chance to do it, but we want Congress to have a chance to review it." So the President was given the right to reorganize the executive branches of Government, with the Congress having the right of review.

That is not the same as the case before us. Here we are dealing with the fundamental responsibility of the assets of the United States. They do not belong to my colleague or to me; they belong to all the people. We are dealing with those assets now. We are disposing of them.

I discussed this matter at great length on the floor of the Senate 2 years ago. In the original action in giving this power to the Secretary of Agriculture, or even admitting that he had it, Congress was negligent in its duties. It is my hope that we will take back that power, or retain it, because these are assets which I think we should consider only affirmatively.

The argument is made that we cannot get action on these proposals. The other party is in control of the Congress. It has an almost two-to-one majority in the House, and a better than two-to-one advantage in the Senate. I cannot believe that it cannot bring before Congress any bill it wants to. The Committee on Interior and Insular Affairs considers any bill they wish to bring up. I have not known of any bill that has not been brought before the committee that the majority party wanted to bring to the floor. That is no argument, in my mind. The other party has an effective majority. It can bring any of these bills to the floor if it wants to.

Mr. DOMINICK. I think we have brought out the point at issue, very frankly.

Mr. CHURCH obtained the floor.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. CHURCH. I yield to the Senator from Alaska.

Mr. GRUENING. I should like to address a question to the distinguished Senator from Colorado [Mr. ALLOTT].

Am I correctly informed that the Senator from Colorado has submitted an amendment to strike out the final provision in the bill which takes care of the special situation in Alaska?

Mr. ALLOTT. The Senator is correct.

Mr. GRUENING. Does the Senator realize that the conditions in Alaska are quite different from those in any other State? It happens that Alaska has gone further in setting aside areas that would be eligible for wilderness than has any other State in the Union. In Alaska is set aside in national parks two-fifths of the total national parks areas of the entire Nation. In wildlife ranges and refuges we have in Alaska virtually twice the total land set aside in the other 49 States. In national forests we now have larger areas than any other State of the Union. So Alaska has not only done its part in providing areas potentially available for designation as wilderness, but far more. I am fearful that this trend may go ahead still further unless there are some safeguards. Section 9, dealing with land use commissions, seeks to provide them. It seems to me that that section, which merely provides that a study be made before action is taken, is a reasonable and a modest one. It would merely provide information to guide the appropriate Secretary before he makes his recommendations to the President before action is taken. It provides only a minimum safeguard for the vast area of Alaska, in which so much more land is already in Federal ownership than in any other State.

I should dislike seeing that provision withdrawn. I hope the Senator will not press his amendment at this time.

I wonder why he feels the provision for Alaska should be deleted?

Mr. ALLOTT. I will answer the Senator in two ways. As he knows, since the territory of Alaska became a State I have, in the Committee on Interior and Insular Affairs, been most of the time with the Senator from Alaska—in the main, if not almost entirely. The Senator from Colorado has been sympathetic to legislation which pertained to Alaska, and which perhaps gave Alaska an advantage that was not available to the other States.

Mr. GRUENING. I thank the Senator for whatever he has done, and I hope he will maintain the same attitude in the future.

Mr. ALLOTT. While this section was in the bill of 2 years ago, and I recall when the Senator offered it, I feel it gives the Commission too much power. I feel it should not be applied to one State any more than to other States.

I read now from page 30 of the committee report, which is a letter from the Department of Agriculture:

> As worded, the provisions of section 9 for a Presidential Land Use Commission would apply only to the State of Alaska. We recognize that Federal ownership of about 99 percent of the land area of the State of Alaska presents a situation peculiar to that State, and have no particular objection to such a Commission in relation to Alaska. However, the scope of the duties of the Commission would go to all federally owned land in the State and not just to lands in wilderness-type areas.
>
> We therefore question whether provision for such a Commission should be included in legislation which otherwise deals only with wilderness-type areas. We therefore suggest that all of section 9 on pages 19 and 20 be deleted and the succeeding sections be renumbered accordingly.

I answer the distinguished Senator in two ways: First of all, the Land Use Commission section takes in too much territory. I do not think it should be applied solely to Alaska. Second, I am simply following the recommendation of the Department of Agriculture.

Mr. GRUENING. I appreciate the point of view of the Senator. I point out that one of the reasons why this is a special provision for Alaska—and I can understand the feeling on the part of my colleague that all States should be treated alike—is that, it should be recalled, Alaska entered the Union so much later than the other States, and was subject, during its long stepchildhood, to a rampant and militant bureaucracy which often imposed its will arbitrarily and over the protests of Alaskans. At the same time Alaska was discriminated against and excluded from much beneficial legislation enacted for the other States. Alaska should be given a chance to undo some of the damage done to it when it was not a State. Section 9 simply provides for an advisory Commission. It does not compel anything. It alters nothing. The power of Congress is not diminished.

If the Senator from Colorado will not withdraw his amendment to delete this section, I hope it will not prevail. I understand his feeling that States should be treated alike, but, after all, there is a vast difference, not merely in the historical background, but in the great size of Alaska and the tremendous withdrawals that have taken place for various purposes potentially related to wilderness. No State had so little land of its own at the time it came into statehood; 99 percent or more was in the Federal domain, and even after the provisions of the Statehood Act go into effect, will be entitled to only 27 percent of its area, and by no means the best land.

If the provisions of section 9 are not allowed to remain in the bill without revision, and the provision on advice is not maintained, I am fearful of what may happen.

A few years ago a bill was introduced by the previous Secretary of the Interior to withdraw 9 million acres of arctic wilderness in the northeast corner of the State. Extensive hearings were held, and this proposal was rejected by the Congress. Nevertheless, the Secretary of the Interior withdrew that amount.

Immediately, of course, efforts were made by the Interior Department to get appropriations to manage this remote wilderness, which my colleague and I opposed, because if it was to be left wilderness it should be left alone. This is why Alaskans may well be fearful unless we have this moderate safeguarding amendment, for study before recommendations for more wilderness withdrawals are made.

As I say, the Commission which would be appointed by the President would be merely advisory, and would merely consult with the Secretary of Agriculture and the Secretary of the Interior, and

would have no other authority. I am hopeful that the amendment will remain in the bill. I am sure that it will not do the damage that my friend from Colorado anticipates.

Mr. HUMPHREY. Mr. President, I should like to make a brief statement in support of the pending bill. I am proud to be counted as a supporter of the wilderness bill. It is a measure which received tremendous support in newspaper after newspaper across the length and breadth of our land. The editorial policy of the overwhelming number of newspapers in the Nation supports the wilderness bill.

During the 85th and 86th Congresses, I was privileged to be the principal sponsor of the proposed legislation. In the 87th and 88th Congresses, this task has been assumed by the able and distinguished Senator from New Mexico [Mr. ANDERSON], together with the Senator from California [Mr. KUCHEL], myself, and the Senator from Idaho [Mr. CHURCH]. All the cosponsors are listed on the bill.

In 1961 the Senator from Idaho [Mr. CHURCH] guided the wilderness bill, then known as S. 174, to an overwhelming victory by a vote of 78 to 8. This substantial margin testified to two primary facts; one, it demonstrated the legislative adroitness and skill of the Senator from Idaho; two, it indicated the fundamental soundness of the legislation.

It should be remembered that this type of legislation has been processed over the years in the appropriate committees of Congress. The refinements which are contained in the pending bill are the result of the most careful scrutiny that any proposed legislative program has ever received.

I believe we have before us an extremely worthwhile bill. As I indicated in my statement before the Committee on Interior and Insular affairs, this solid vote of confidence, the vote of 78 to 8, did not occur by accident or error. It reflected the reasonable, temperate, and moderate procedures contained in the proposed legislation, to preserve certain areas of the Nation within a national wilderness preservation system.

It should be quite obvious to every American citizen that if future generations are ever to have the privilege of seeing the native beauty of wilderness areas, or areas that have been untouched by commercialism, this legislation which is before us must be adopted.

During the 8 years in which the proposed legislation has been before Congress, many important modifications have been effected in the specific procedures for identifying and protecting certain areas of wilderness. For example, the proposal to establish a permanent national wilderness preservation council has been eliminated. The original definition of a wilderness area has been modified considerably. The regulations for the protection of wilderness areas have been revised and liberalized. Each of these changes was made because the proponents of the legislation were determined to seek a bill that recognized the need for wilderness preservation but which did not unduly hamper present land-use programs or legitimate economic, commercial, or commodity uses.

I do not believe it is necessary for me to speak at length about the undeniable benefits that wilderness resources will impart to future generations of Americans. As our civilization becomes progressively more mechanized, automated, and dehumanized, the value of preserving the primeval character of certain designated areas will increase manifold.

This will represent a legacy of incomparable value to generations hundreds of years hence, because it will be a gift beyond human creation.

As a matter of fact, I am not at all sure that the preservation of these wilderness areas may not make a great contribution to our individual and national mental health. I believe that as we preserve these areas, we may very well economize in the building of institutions for taking care of people who are the victims of the terrific tensions of the modern day world.

In the State of Minnesota, we are proud to have such a national forest, which is a wilderness area. It is one of the most beautiful areas in the world. It is untouched by commercialism. It is a constant source of enjoyment and recreation for thousands of families. It has become a source of great recreational opportunity for the families of our Nation. Thousands of families have an opportunity to enjoy the blessings that only God Himself can give to people in this beauty of the native area.

These lands that we speak of are not beyond human protection and preservation. The national wilderness preservation system containing national forest areas, national park system areas, and national wildlife and game range areas, will insure that these federally owned lands will be administered in such a way as to leave them unimpaired. I am confident that an overwhelming majority of Senators will recognize the historic nature of our opportunity to establish this legacy.

I really cannot believe that anyone would oppose it, that anyone would momentarily put private property ahead of the long-range interest of the people.

I wish to congratulate the principal sponsors of the proposed legislation, the distinguished Senator from New Mexico [Mr. ANDERSON] and the distinguished Senator from California [Mr. KUCHEL]. They have provided us with determined, courageous, and bipartisan leadership. Similarly, the distinguished Senator from Idaho [Mr. CHURCH] has done a magnificent job in managing the proposed legislation in the Interior Committee and on the Senate floor.

I am confident that the efforts of these devoted public servants will be richly rewarded as countless generations of future Americans reap the benefits of their wisdom, their foresight, and their determination.

In fact, Mr. President, as a cosponsor of the proposed legislation and as one who initiated it some years ago, and took a great deal of criticism, much of which was very vicious and at times most disturbing and distracting, I wish to say that I am more proud of my name being listed as a cosponsor of this bill than of almost any other bill that I supported in Congress. I can think of no greater service that a man can perform at this stage for future generations in terms of our domestic legislation program, than the bill that is before us. Nothing is more important than for us to stake out, so to speak, and to protect these areas of America that are known as wilderness areas, to make sure that generations yet to come will be able to enjoy the blessings of our time and the heritage of this great Nation.

Again I commend the Senator from Idaho.

Mr. CHURCH. Mr. President, I appreciate the remarks of the Senator very much, but I believe he has been overly modest with respect to his own role in connection with the proposed legislation. He is the father, the initiator, the pioneer, who first submitted wilderness legislation, some 6 years ago, in March of 1957, and it has been a hard, long, legislative road since.

Ten hearings have been held on the proposed legislation, four in Washington and six in the field. Two thousand, eight hundred and twenty-five pages of testimony have been taken. Such has been the interest in the proposed legislation and in the struggle to adopt it. In connection with the long, hard fight, the man who got it all started is the distinguished Senator from Minnesota. We are all greatly indebted to him for his efforts in behalf of the millions of Americans who will receive a lasting profit and benefit from his efforts.

Mr. HUMPHREY. I thank the Senator for his kind remarks. It is something to get something started, but another to bring it to a successful conclusion.

I am not trying to be overly generous when I say that the Senator from Idaho and the Senator from New Mexico and the Senator from Montana, and the few other Senators who have carried on this fight, particularly in committee, are deserving of our thanks and gratitude. I can assure the Senator that this legislation is looked upon by people throughout the Nation as one of the finest bits of the legislative program that we have before us. I salute them for what they are doing.

Mr. CLARK. Mr. President, I wish to express my strong support for the pending measure, the National Wilderness Preservation Act. We who live along the Atlantic seaboard might at the first blush seem to have only an indirect interest in the proposed legislation. Yet the preservation of our wilderness territory, mostly in the Mountain States of the Far West and Alaska, while it may seem a long way from Pennsylvania, is nevertheless definitely in the national interest.

I have supported such proposed legislation every time it came before the Senate since I was first elected to this body. I support it again. Actually, I wish it were stronger. In my view, we could have gone further than the pending measure does to preserve our wilderness lands. Nevertheless, I realize the necessity for compromise. I know we are engaging in the art of the possible. At least, the bill makes a substantial

t toward setting aside for posterity
for those who love the wilderness to
p and fish, and to some extent hunt
, the opportunity to do so.

particularly commend the Senator
n Idaho [Mr. CHURCH] for his
ership in this regard. It is a leader-
which is not without risk, for I know
there are within his State strong
rests who oppose the proposed legis-
on, interests which, in my opinion,
not represent the better view on this
troversial subject. The Senator from
no, who I am happy to say was
rned to this body last fall by a very
stantial majority, was brave indeed
ighting those strong vested interests
is own State.

is nice to know that, every now and
n, in elections to this body, right,
the long run, on the whole, does
ome extent tend to prevail. I compli-
t the Senator from Idaho for his tak-
the national interest on many prob-
s which, ostensibly, might seem to
of very little interest to his State.
d I add that I include the mass tran-
bill in this regard? There are those
sometimes think Senators engage
og rolling; that "If you scratch my
k, I'll scratch yours," and thereby
posed legislation is passed which
erwise could not be passed.

have no hesitation in saying that it
my clear opinion that the wilderness
is in the national interest, without
ard to any other proposal coming be-
Congress, just as the mass transit
was in the national interest, with-
regard to any other proposed legisla-
which might come before Congress.
ave no guilty conscience—in fact, I
p well at night—in supporting the
ierness bill—which, as I say, is of lit-
immediate interest to the people of
nsylvania—just as I supported the
ss transportation bill, which is of im-
ative importance to the people of
te; and I am indeed happy to know
he prospects for the prompt passage
the bill by the Senate. I hope and
y that the other body will be equally
t and equally intelligent in following
national interest.

Mr. KUCHEL. Mr. President, this is
the first time that I have been a co-
hor of the wilderness bill, nor will it
he first time that the Senate will pass
—as the Senate will do this week.

In the first part of the bill we find the
lowing:

Sec. 2. (a) The Congress recognizes that
increasing population, accompanied by
anding settlement and growing mecha-
ation, is destined to occupy and modify all
as within the United States and its pos-
ions except those that are designated for
servation and protection in their natural
dition. It is accordingly declared to be
policy of the Congress of the United
tes to secure for the American people of
sent and future generations the benefits
an enduring resource of wilderness. For
purpose there is hereby established a
ional Wilderness Preservation System to
composed of federally owned areas in the
ted States and its possessions to be ad-
nistered for the use and enjoyment of the
erican people in such manner as will leave
m unimpaired for future use and enjoy-
nt as wilderness, and so as to provide for
protection of these areas, the preserva-
of their wilderness character, and for
the gathering and dissemination of information regarding their use and enjoyment as wilderness.

Mr. President, the first question for me and for the other Members of the Congress to ask themselves is whether the bill is in the public interest. There will be no quarrel with any Senator concerning his answer to that question. I think the question should be answered unanimously in the affirmative.

The next question is whether the bill accurately and reasonably carries out the provisions of this legislative intent. On that subject there is in this Chamber a divergence of views. For my part, I answer that question also in the affirmative. I believe that the interests of all people of our country are advanced by the provisions of the bill. Other Senators have spoken earlier today in regard to those provisions; and I shall not take the time of the Senate or encumber the CONGRESSIONAL RECORD by submitting extended remarks on the bill.

I make this point, Mr. President: As has been stated heretofore, under present law, the Secretary of Agriculture has complete, untrammeled authority to classify as wilderness any of the public domain now under his jurisdiction, if he so desires. With respect to his authority as well as the authority now existing in the Department of the Interior, the bill provides for a procedure by which lands in the public domain not now classified as wilderness shall parcel by parcel and piece by piece be examined and explored; and provision is made for a hearing at which interested American citizens—including local Government officials—will be able to support or oppose any proposed classification as wilderness of any parts of the public domain.

If, for example, the Department were to overrule the objectors, and were to determine that, in its judgment, any given parcel should be classified as wilderness, provision is made for an appeal to the President. There, again, this measure provides for the filing of objections. Let us assume that the White House concurred in the determination made by the Department. The bill provides that either of the two Houses of Congress can reject, repudiate, and overrule the decisions made in the executive branch. What is wrong with that, Mr. President? Who honestly and logically can argue against that approach and the due process followed at various stages under that approach?

Today, Congress has no control or check on the exercise of discretion in the executive branch. This bill provides that Congress shall have such control or check. However, far more important is the fact that if the bill is enacted into law, the American people of your generation, Mr. President, and mine and the American people of succeeding generations will have an opportunity in their lifetime to see the pristine beauty with which the Creator endowed the North American land mass, for this measure will preserve for the Americans of today and for those who come tomorrow the beauty of our country in its primitive state.

Mr. President, I wish to make another point for the benefit of the people of California. My State is a semiarid State; and a U.S. Senator from California is not worth his salt if he ever forgets the necessity to supply more water to the people who now live in California and to those who are coming there each year at the rate of over a half a million or more. We had before us the question of whether the Federal Power Commission should continue its jurisdiction with respect to matters of water and power, or whether we should prevent it from operating in areas designated as wilderness. There was a dispute about that. The Interior Department recommended that Congress eliminate all the jurisdiction of the Federal Power Commission as provided by this measure. To the credit of the Senate Committee on Interior and Insular Affairs, it rejected that recommendation; and it has written clearly into the bill a provision that with respect to problems of water under the jurisdiction of the Federal Power Commission, the present law with respect to that jurisdiction shall remain in effect.

Mr. President, those are the brief comments which I wished to make here today. In past Congresses and in the discussions which have occurred in the Committee on Interior and Insular Affairs, I have spoken at great length on this subject. I want the RECORD to show my statement that the bill is in the public interest.

This measure is not one of partisan or political concern, Mr. President. U.S. Senators from both parties stand on this floor and speak in favor of the bill. Other U.S. Senators from both parties stand on this floor and speak in opposition to the bill.

A year ago the bill was passed overwhelmingly by the Senate. I trust that this year, once again, the bill will be passed by the Senate; and I hope that in this Congress—different from the last session—the Members of the House of Representatives likewise will have an opportunity to vote their judgment as to whether the bill should become law.

Mr. CLARK obtained the floor.

Mr. CHURCH. Mr. President, will the Senator yield that I might express my appreciation to the able Senator from California?

Mr. CLARK. I yield.

Mr. CHURCH. I desire to express my appreciation to the Senator for the very fine support which he has given the bill over the years. He has been one of the stalwart champions of wilderness legislation. In giving the bill that kind of support, he has demonstrated his farsightedness in that field as he has demonstrated statesmanship on other questions that pertain to the wise conservation of the Nation's resources.

The people of California can be very proud of him in the role he has played in connection with the proposed legislation and, as a Democrat who stands on this side of the aisle, I wish to extend my personal appreciation to him.

Mr. KUCHEL. I should like to give my friend and colleague my unbound thanks for his generous comment. I am

grateful to him. I sincerely believe that he, I, and others who feel as we do can supply a leadership that will result in the enactment of the bill into law.

Mr. CHURCH. Mr. President, if the Senator from Pennsylvania will indulge me one more minute, I should like to place into the RECORD some statistics that I think are called for in view of the discussion that has heretofore taken place today on the pending measure.

Mr. CLARK. I am happy to yield.

Mr. CHURCH. Mr. President, I am sorry that the senior Senator from Colorado is not present. I believe he would not take offense if I placed the figures in the RECORD, for he will have an opportunity to review them when the RECORD is published today and to comment on them tomorrow, should he see fit to do so.

I ask unanimous consent that the figures to which I have referred be printed at this point in the RECORD.

There being no objection, the figures were ordered to be printed in the RECORD, as follows:

	Acres
Total land area of the United States	2,313,733,120
Total Federal lands	767,766,435
Total land in national forests	181,600,000
Total national forest land subject to S. 4	14,138,000

Mr. CHURCH. In the course of his remarks, the senior Senator from Colorado mentioned that the bill would authorize the establishment of a wilderness system which would comprise some 12 percent of the public domain. He observed that only 1 percent of our people actually use the wilderness. On that basis he concluded that we would be giving a disproportionate amount of public lands over to a very small number of people to utilize and to enjoy.

Mr. President, I question those figures in two respects. First, members of the committee staff advise me that the correct figure is not 12 percent of the forest lands but somewhere between 7 and 8 percent of the forest lands.

Furthermore, the land about which we are talking is a part of one great country. If we are going to compare the numbers of people who enjoy the wilderness with the amount of land that we would set aside, then the comparison must be based upon the land set aside as it relates to all of the area of our country.

Today we have 2,313,733,000 acres of land in the United States of America. After the review provisions which are established in the bill have been completed and the wilderness system that would be authorized by the proposed legislation has been established, it is estimated that it would run to between 35 and 40 million acres, which is approximately 1½ percent of the total area of the United States. So that if the figures have any meaning at all, I suggest that a very definite balance has been struck between the area set aside and the numbers of our people who, over the years, will enjoy it. I placed my figures in the RECORD because I think they put the subject in proper perspective, particularly in view of remarks made earlier by the senior Senator from Colorado.

Mr. President, I am now prepared to yield the floor. I wish to say to my good friend from Pennsylvania that I appreciate the fact he has been so generous in allowing me and other Senators to speak. It is typical of him to stand aside and let others take the floor. I commend him for it. I hope he has no further difficulty in getting his own remarks into the RECORD before he adjourns the Senate.

Mr. CLARK. I thank the Senator for his kind and generous remarks. My good friend from California, who is terse, desires that I yield to him briefly. I am only happy to do so.

CHOOSING CONTRACTORS TO DO FEDERAL WORK

Mr. KUCHEL. Mr. President, I thank my good friend, the Senator from Pennsylvania. I shall not add to his difficulties.

Mr. President, a few days ago the distinguished senior Senator from New Jersey [Mr. CASE] introduced a measure providing that Americans should be given more facts with respect to how contractors are chosen by the Federal Government in matters of defense and of space agency procurement contracts. When he introduced that proposed legislation, the able Senator said:

> A full disclosure of all relevant facts would benefit everybody. An informed public opinion would exert irresistible weight in support of decisions which are soundly based and against those which are not. It would reduce to a minimum improper pressure on Government officials. It would restore public confidence in the integrity of Government.

Mr. President, I completely agree with what the able Senator from New Jersey had in mind in introducing his proposed legislation and with the comments he has made concerning it.

So do distinguished newspapers and able columnists. I ask unanimous consent that the excellent editorial published in the Washington Post on Friday, March 1, and comments made by two distinguished American columnists, Mr. Marquis Childs and Mr. Roscoe Drummond, dealing with the subject all be printed at this point in the RECORD.

There being no objection, the editorial and articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 1, 1963]

CONGRESS AND CONTRACTS

The practice of letting favored Congressmen announce the award of Government contracts in their districts may have some partisan advantages, but the cost is high in terms of the longrun public confidence. Of course Senators and Members of the House are delighted to make known that so many millions of dollars will be spent in their States or districts because their constituents will assume that the announcer has wielded a potent influence in the matter. The difficulty with the practice is that such an inference is often false and that if it were true it would suggest a scandal.

The official policy of the Defense Department is the antithesis of favoritism. It provides: "Our first and paramount objective is to acquire weapons and materiel which fully meet our qualitative, quantitative and delivery requirements—at the lowest overall cost. Whenever our specifications are sufficiently precise, we must obtain competition through formal advertised bidding procedures as required by law." But when the Department announces the awarding of contracts through Democratic Congressmen and denies a comparable privilege to Republican Congressmen, it seems to fly into the face of its own policy.

The effect on Congressmen is likely to be especially unfortunate. Certainly it tends to intensify the pressures on the Department from legislators who want a larger share of the huge defense budget spent in their districts. The net effect is to encourage legislators to think of defense expenditures, not in terms of the maximum national security, but in terms of swinging lucrative contracts to their hometowns.

Instead of cultivating the impression of a cozy liaison between the Defense Department and Members of Congress in the letting of contracts, Congress ought to be strengthening the safeguards against special influence and favoritism. Senator CASE, of New Jersey, has proposed a bill requiring that all ex parte communications in regard to defense or space contracts by persons other than the bidder be recorded for public inspection. He would also require, in the case of negotiated contracts, the disclosure of the basis on which the contract was made, except for classified information, and set up a House-Senate watchdog committee to review such contracts.

This is the direction in which Congress ought to be moving. With billions of dollars flowing from the Treasury to defense and space contractors, it is of the utmost importance to avoid favoritism and even the appearance of using defense projects as political bait.

[From the Washington Post, Mar. 20, 1963]

ARMS RACE SEEN INFECTING POLITICS

(By Marquis Childs)

The noisy quarrel, which is essentially between two giant contractors and their congressional backers. Over the TFX plane contract points up the ever-growing entanglement of huge defense spending with the politics of who gets what.

The Senate subcommittee investigating the $6.5 billion contract has taken after Secretary of Defense McNamara on the ground that he gave the contract to General Dynamics even though Boeing entered a lower bid. McNamara's answer is that economies to be achieved through developing a single plane for both the Air Force and the Navy determined the award. A resolute man, he shows no signs of reversing his decision.

The Defense Department has responded by saying, in effect, that you can hardly expect an unbiased finding when Senators with a direct stake in the outcome sit on the investigating committee. The accusing finger is pointed at Senator HENRY M. JACKSON, Democrat, of Washington, for whom the Boeing plant in Seattle and its payroll must be a major consideration.

But it is possible that JACKSON, with his wide and continuing interest in national security, would welcome a way out of the pressures that inevitably bear down on a Senator with important defense industry in his State. If he can deliver for a particular industry back home he may at the same time be doing a disservice to the Nation.

That is why the Senate, instead of indulging in the quarrel currently going on, would do well to give serious consideration to the proposals of Senator CLIFFORD CASE, Republican, of New Jersey. CASE put in bills the other day calling for complete public disclosure of all communications whether written or oral and from Members of Congress and anyone in the executive branch seeking to influence the awarding of a contract. He would also require full and prompt disclosure of the basis on which a negotiated contract is granted.

at the gate as well as at the boat. The staff at Mount Vernon is able to provide better service for the handicapped persons during the nonpeak tourist seasons.

National Archives: Seventh Street and Pennsylvania Avenue NW., Worth 3–1110. Open 9 a.m. to 10 p.m. weekdays; 1 p.m. to 10 p.m. Sundays and holidays. Wheelchairs are not provided for the handicapped. However, a ramp is available at the Seventh Street entrance, and may be used if arrangements are made in advance. Special tours may also be arranged by calling in advance.

National Gallery of Art—Mellon Gallery: Sixth Street and Constitution Avenue NW., Republic 7–4215. Open daily 10 a.m. to 5 p.m.; Sundays, 2 p.m. to 10 p.m. There is a concert every Sunday evening at 8 p.m. in the east garden court starting in September and ending in June. Wheelchairs are provided for handicapped persons. There are no stairs at the entrance on Constitution Avenue. Special tours may be arranged in advance only when a group consists of more than 15 persons.

National Shrine of the Immaculate Conception: Fourth Street and Michigan Avenue NE., Lawrence 6–8300. Open daily 7 a.m. to 8 p.m. Sunday masses are held at 7, 8, 9, 10, 11, and 12 noon. Free guided tours are available every half hour. One wheelchair is provided for handicapped persons. The entrance to the building has no stairs. Elevators may be used in the building. Special tours may be arranged by calling in advance.

National Wax Museum: 500 26th Street NW., at E Street, National 8–2996. Open daily and Sunday, 9 a.m. to 9 p.m. The museum features monuments and personalities in American history. Admission: adults, 75 cents; children 6 through 12, 50 cents; children under 6, free. Wheelchairs are provided for the handicapped. There are no stairs at the entrance of the building. During the nonpeak tourist season special tours may be arranged by calling in advance.

Naval Observatory: 34th Street and Massachusetts Avenue NW., Decatur 2–9013. Open Monday through Friday for conducted tours at 2 p.m. only. For groups of 10 or more special advance arrangements should be made. No special facilities are provided for the handicapped. There are stairs at the entrance of the main building. Much walking, including several inclines, is required between the three buildings visited on the guided tour.

Smithsonian Institution Group: National 8–1810. Arts and Industries Building, Ninth Street and Jefferson Drive SW. Museum of Natural History, 10th Street and Constitution Avenue NW. Smithsonian Building, 10th Street and Jefferson Drive SW. Freer Gallery of Art, 12th Street and Independence Avenue SW. All of the above buildings are open daily and Sunday, 9 a.m. to 4:30 p.m. Wheelchairs are provided at the entrance of each building for handicapped persons. The entrances of many of the buildings have no stairs; however, not all of the buildings have elevators. In the past, special tours for the blind have been arranged and special exhibits prepared. Special arrangements may be made by calling extension 542 or 543.

Supreme Court: First, and Maryland Avenue NE., Executive 3–1640. Open Monday through Friday, 9 a.m. to 4:30 p.m.; Saturday, 9 a.m. to 12 noon. Conducted tours are available every 15 minutes except when the Court is in session. No special facilities are provided for handicapped persons. However, if advance reservations are made with the Marshal's Office—extension 281 or 282—the South Drive on Second Street can be used for easy access to the elevator. Special tours may also be arranged by calling the Marshal's Office in advance.

Washington Cathedral: Wisconsin Avenue and Woodley Road NW., Woodley 6–3500. Services are held Sunday, 7:30 a.m., 9 a.m., 11 a.m., and 4 p.m. Conducted tours are available daily, 9 a.m. to 4:30 p.m., and on Sunday, after 11 a.m. The cathedral and the Bishop's Garden are open from 9 a.m. to 5 p.m. daily and Sunday. The Memorial and Tomb of Woodrow Wilson, the only President buried in Washington, D.C., are located in the cathedral. Wheelchairs are provided for the handicapped. Handicapped persons should enter the cathedral at the west entrance because it has no stairs. Special tours may be arranged by calling in advance.

Washington Monument: On the Mall at 15th Street, Republic 7–1820, extension 2840. Open daily, March 20 through Labor Day, 8 a.m. to 11 p.m. Open daily, Labor Day to March 20, 9 a.m. to 5 p.m. The elevator fee is 10 cents for visitors 19 years and older. No wheelchairs are provided for the handicapped. However, special priviliges are given the handicapped in use of the elevator. It is possible for persons in wheelchairs to ride the elevator to the observation point at the top of the Monument.

White House: 1600 Pennsylvania Avenue NW., National 8–1414. Open Tuesday through Friday, 10 a.m. to 12 noon; Saturday, 10 a.m. to 2 p.m. One wheelchair is provided for the handicapped. The elevator may be used. Special arrangements should be made in advance through one's Senator or Congressman.

Zoological Park: 3000 Connecticut Avenue NW., Columbia 5–0743. The buildings are open during November through April, 8 a.m. to 4:30 p.m.; May through October, 8 a.m. to 5 p.m. The grounds are open throughout the year from daylight to dark. A limited number of wheelchairs are provided for the handicapped. Many ramps have been constructed in order that handicapped persons may avoid stairs. It is possible to secure directions from the Park Police for seeing maximum part of the park with the minimum effort. Special arrangements for the tour should be made by calling in advance. The park has restaurant facilities, and special arrangements for handicapped persons or groups of handicapped may be made by contacting Mr. Leech at Columbia 5–9434 or Columbia 5–3231.

Sightseeing at the Zoological Park is easier for handicapped persons during the summer months as the animals are kept out of doors and it is not necessary to enter the buildings.

SENATE

TUESDAY, APRIL 9, 1963

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

The Rev. Robert Blakely McNeill, minister, Bream Memorial Presbyterian Church, Charleston, W. Va., offered the following prayer:

Lord God of all nations, whose lordship of the conscience is the basis of our freedom, whose grace confers dignity upon each person, and whose love is the ground of all human affection, look with favor upon those who dare grip the somber issues of our time.

In the intensity of daily conflict, if there is difference of opinion, let there be unity of spirit; if there is diversity of approach, let there be concurrence in purpose, strength in conviction, tolerance of opposition, malice toward none, and charity toward all.

We pray not for world dominion, but for world peace; not for power to destroy, but for a genius to reconcile; not for the right to judge others, but for the right to be judged aright by Thee.

Make of this Nation a sanctuary of good will, a priest of charity, and a prophet of a hopeful future.

We have not forgotten, O God, that this Government is but an assemblage of men, subject to every whim and weakness of human aspiration. Hear the prayers of each of them as they plead for wisdom, stamina, and integrity sufficient for the requirements of this day. Let Thy wisdom become their statecraft, and Thy sovereignty their urgency. We pray this in Thy holy name and spirit. Amen.

THE WILDERNESS ACT

The PRESIDENT pro tempore. Under the unanimous-consent agreement of yesterday, the Chair lays before the Senate S. 4, the so-called Wilderness Act, with respect to which there is a limitation on debate of 1 hour on each amendment and 1 hour on the bill.

The bill is open to amendment.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Montana will state it.

Mr. MANSFIELD. Under the limitation, who is to be in charge of the time?

The PRESIDENT pro tempore. The proponent of any amendment will be in control of the time available to those who favor the amendment. The Senator from Idaho [Mr. CHURCH] will be in control of the time available to those in opposition to an amendment. The two

leaders are to be in control of the time available on the bill.

Mr. MANSFIELD. Yes. It is my understanding that the time available on the bill will be under the control of the Senator from Idaho [Mr. CHURCH] and the Senator from Colorado [Mr. ALLOTT]. Yesterday, I was informed by the distinguished senior Senator from Colorado [Mr. ALLOTT] of a death in his family. Therefore, I ask that the time under his charge be allotted by the junior Senator from Colorado [Mr. DOMINICK], and that the RECORD so show.

The PRESIDENT pro tempore. Very well.

Mr. MANSFIELD. I understand that the junior Senator from Colorado is seeking recognition.

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. First, Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield.

Mr. MANSFIELD. I wish to make it plain that the understanding is that the time required for the quorum call is not to be charged to the time available to either side, and also that at the end of the quorum call the Senator from Colorado [Mr. DOMINICK] will have the floor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The absence of a quorum has been suggested; and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I move that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. DOMINICK. Mr. President, I call up amendment No. 38, and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Colorado [Mr. ALLOTT] will be stated.

The LEGISLATIVE CLERK. On page 17, line 1, it is proposed to strike out all through "(B)" on line 14, and in lieu thereof to insert the following language:

(2) Within national forests and public domain areas included in the wilderness system: (A) Notwithstanding any other provisions of this Act, until midnight, December 31, 1977, laws of the United States pertaining to mineral leasing and mining shall, to the same extent as applicable prior to the effective date of this Act, extend to all lands affected by this Act; subject, however, to such reasonable regulations as may be prescribed by the Secretary having jurisdiction over the area consistent with the use of the land for mineral development and exploration, drilling. Subject to valid rights then existing, effective January 1, 1978, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from leasing under the mining laws and from leasing under the Mineral Leasing Act and all amendments thereto: *Provided*, That after December 31, 1977, the appropriate Secretary may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including but not limited to the exploration and production of oil and gas); (B) the appropriate Secretary may within a specific area and in accordance with such regulations as he may deem desirable authorize the establishment and maintenance of reservoirs, water-conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (C).

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, I have called up amendment No. 38 to the so-called wilderness bill as the first amendment, because I think it will have a major bearing on the course of the proposed legislation through this body and through the other body, in the event the bill should pass.

This particular amendment of my colleague [Mr. ALLOTT] would provide that the ordinary Mineral Leasing Acts and mineral laws remain in effect in the areas within the wilderness system until December 31, 1977.

Under the wilderness bill as it has been reported by the committee, there is a provision only that under special circumstances the President can authorize prospecting for minerals only, including oil and gas; but this prospecting will not do any particular good so far as the actual discovery of mineral bodies which may well be vital to the security of this country is concerned. I say that it is not going to do any good advisedly.

In the first place, in the wilderness areas one is not permitted to bring in mechanized equipment, nor is there permission for any access roads. Consequently, a prospector within the wilderness system would be restricted by the sheer physical difficulties involved in going out and tramping through the wilderness area, carrying a pack on his back, or leading a burro, with a small miner's pick.

I think all Senators present are as well aware as am I that the modern methods and technology as to the discovering of ore bodies no longer rely on the classical system of the burro, the canary in the cage, and the little miner's pick that miners used to bring with them.

I am not talking about uranium. One might be able to find some more uranium, but under the present circumstances I gather, from what the Government says, that we have uranium "running out of our ears," so we do not have to worry too much about that.

I think it is worthwhile to conceive of the uranium problem we had some 13 years ago in order to put the amendment into context. At that particular time the Nation suddenly felt an urgent and vital need for the production of uranium ores for the national defense of this country. We were relying on supplies from the Belgian Congo and from Canada, and no one really knew whether there were any reserves of uranium in this country.

Most of the uranium reserves which were found in the process of the exploration which came subsequent to the incentives which were provided by Congress came within the States and the areas which will have a great portion of their territory blocked off from this kind of activity under the wilderness system, if it is approved.

Specifically getting down to the details of what I am talking about, in the hearings Mr. John Wolfe, who is president of the Colorado Mining Association, appeared before our committee and gave what I thought was one of the most illuminating speeches I have heard in a long time on the question of where mineral reserves and mineral resources might well be found. He pointed out that in Colorado alone about 95 percent of the mineral reserves which may be needed in the future can probably be discovered within approximately 1 percent of the actual territory of the State of Colorado.

I quote some portions of his testimony. On page 148 of the hearings he said:

By the techniques which have been developed in the past 5 years, we can break the mountainous regions of the West into areas where the probability of success in mineral exploration is relatively homogeneous. When an explorations manager on a budget sees a probability index of 1 on the eastern half of Colorado and 1,000 on the western half, it is obvious where he will concentrate his effort. Within the western area you find a subarea with a probability index of 10,000.

I quote again:

In the past, 95 percent of the production of the State of Colorado has come within that belt—

Which he showed on a map to the committee—

and by these calculations it is indicated that 95 percent of the future production of these commodities will come from that area also.

The point I am making is that if we allow a reasonable period of time within which the ordinary mineral activities under our general mining laws and our mineral leasing laws can continue within the wilderness system, it will be possible during that period of time to discover these minerals in the area, and to stake out and to do the development and mining work. We can actually find these minerals within the period of time to be provided in this particular amendment.

After December 31, 1977, under this proposed amendment, the appropriations under the Mineral Leasing Act and under the mining laws will be knocked out. We will no longer have to worry about what the conservationists say about the despoiling of the wilderness areas by virtue of mining activities in those areas, unless the President decides that, under exceptional circumstances, we need such activities in the national security even more than we need the wilderness area.

The process of such exploration during that period of time will give the executive department and the Congress the opportunity of ascertaining which portions of this area may well be subject to removal from the wilderness system

thout harming the rest of the wilderness system, so that we will have a wilderness area and still have ascertained the necessity of having minerals subject to production within our own country.

Mr. President, what kind of materials are we talking about? Frankly, I do not know. In 1940 nobody was particularly looking for uranium. In 1945 nobody was particularly looking for the rare earths found in some quantities in the western United States. In 1925 people were still looking for gold. Frankly, they are not still looking for gold anymore, because it cannot be produced at a profit.

We have a situation where almost any kind of mineral can become vital to the successful development of our national defense, our economy, and our industrial affairs and commercial enterprises.

It seems to me it is imperative that we keep open those areas which in many cases are the most highly mineralized areas in the United States for further exploration and development of the resources which might be found within the scope of the wilderness system as it is set up by the pending bill.

As I said before, we are not trying to ruin the bill, as has been asserted by some of the advocates of the wilderness system. We are not trying to do anything more than preserve the right, under existing laws, to be able to continue the exploration of those areas to determine whether or not the mineralized areas may safely be removed from the wilderness system because they are more valuable to the country by using them for mineral purposes.

Some other points were contained in Mr. Wolfe's testimony. At page 151 of the hearings, in answer to a question from my colleague from Colorado [Mr. ALLOTT] as to whether the existing provisions in the bill permit fruitful prospecting for minerals, Mr. Wolfe's answer was:

> In my opinion it would be almost impossible to persuade management—

By this term he is talking about management of a mining company—

> to budget money for studies in these areas, that we would feel that it was so—that the chances of being able to proceed and develop would be so remote that we would be extremely hesitant to spend the company's money in any area of that nature.

The senior Senator from Colorado [Mr. ALLOTT] went on to bring this point out. He asked the following question:

> Under the general provisions of the bill and under our present knowledge of your particular field—

Referring to Mr. Wolfe's field—

> would it be possible to do any prospecting without such a permit from the President?

Mr. Wolfe answered:

> There would be some phases of work that could be done. There are some regional bits of information that can be obtained. But it would be certainly much more difficult to go in with a mule and pick and shovel than if we could take in the modern tools which we have available to us.

The point I am making to the defenders of this bill is that we do not have to worry about mining, because there are provisions in the bill which provide the President will permit it to be done only if he feels it is important. But those provisions do not mean a thing, because the areas are locked up, there is no access to the areas, and the only way one could get into it would be with a mule and a pick and shovel.

Therefore, the Senator from Colorado [Mr. ALLOTT] has proposed this amendment, which is not all out, which is not designed to wreck the bill, which does not go as far as the Interior Committee in the other body went during the last session of Congress. It simply provides we will have until midnight, December 31, 1977, to operate in those areas under the mineral leasing and mining laws, subject to such reasonable regulations as may be prescribed by the Secretary having jurisdiction over the area, consistent with the use of the land for mineral development and exploration and drilling.

The amendment then goes on to provide, as I pointed out a little earlier, that after that particular time, the right of all forms of appropriations under the mining laws will expire subject only to existing rights that are then in effect.

It occurs to me—and I think this is a point which perhaps has not been brought to the attention of the Senator from Idaho [Mr. CHURCH] before this time—that this very exploration may provide the basis for the various departments in the executive department to determine whether or not a wilderness area at a particular point should be increased or decreased in size. Without this information available to them, which could be discovered under this amendment, they would in many cases be operating in the dark, in this particular field at least.

I do not know how many States would be involved particularly in the mining amendment we have before us. I know Colorado would be. I am reasonably sure the State of the Senator from Idaho would be. I am almost positive Nevada would be. I see present the Senator from Nevada [Mr. BIBLE]. I am reasonably sure—in fact, I am sure—the great State of Alaska would be involved.

It seems to me, where we are dealing with the mineralized portion of the United States and are simply cutting off any right for the further determination of where these resources are, that we are going beyond the reasonable scope of Congress to determine what is in the national interest. We are simply saying it is more important to have wilderness areas than to have the opportunity of determining where the mineral resources are.

Mr. BIBLE. Mr. President, will the Senator from Colorado yield me about 5 minutes, if he has completed his opening statement? I do not know what the time situation is.

Mr. DOMINICK. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 15 minutes.

Mr. DOMINICK. I yield 5 minutes to the Senator from Nevada.

Mr. BIBLE. I thank the Senator from Colorado.

Mr. President, I rise to support the amendment offered by the junior Senator from Colorado [Mr. DOMINICK] on behalf of the senior Senator from Colorado [Mr. ALLOTT]. It seems to me this is a worthwhile amendment.

In my judgment, it does not do a disservice to the wilderness concept. As the Senator from Colorado knows, during the deliberations on the bill in committee, I offered an amendment which was a more severe amendment than the one presented by the junior Senator from Colorado on behalf of the senior Senator from Colorado.

The amendment I offered had no cutoff date of some 15 years after the passage of the bill, in whatever form it may be enacted.

I firmly believed then, and I firmly believe now, there is nothing irreconcilable in having mining within a wilderness area.

I pointed out during the committee deliberations then, and I repeat now, that the Committee on Interior and Insular Affairs in the past has done exactly that—permitted mining in national park areas, areas which are set aside for conservation and recreation uses.

For example, in the creation of Mount McKinley National Park, a park which contains 1,939,493 acres, mining is permitted.

In Death Valley National Monument, which is a great area in southern California of some 1,907,760 acres, mining is permitted.

The Organ Pipe Cactus National Monument is an area of lesser size, but still of considerable acreage. It consists of 330,874 acres. Mining is permitted in that area. In the Glacier Bay National Monument, consisting of 2,274,595 acres, Congress provided for mining rights in one section. Congress wrote such a clause into those acts. These are areas in which mining and other uses occur without any apparent difficulty.

In the last session of Congress, as the distinguished chairman of the Committee on Interior and Insular Affairs knows, we made considerable progress in the field of lakeshore and seashore legislation. We are presently considering those before the Public Lands Subcommittee of that committee. We did permit other use in the Cape Cod National Seashore. We certainly permitted other use in the Padre Island National Seashore, because we permitted oil exploration to exist side by side with the recreational benefits.

Then, too, on the west coast, in the Point Reyes National Seashore, we permit adverse use; not mining use, but continuation of grazing and dairying in that area.

In the last session of Congress, the Committee on Interior and Insular Affairs reported favorably two bills, one, the Great Basin National Park, in my own State of Nevada, consisting of an area of 123,000 acres. Mining there is specifically permitted. The other is the Canyonlands National Park bill, a bill that carves out 257,000 acres for a great

national park. There, too, we permitted mining in one section.

My position, I would say to my distinguished friend from Colorado, is that in this amendment we are not creating an irreconcilable use. The two can exist side by side. We have spoken on this a number of times, and we should speak on it again. I shall certainly support the amendment of the Senator from Colorado.

Mr. DOMINICK. I thank the Senator very much. There are one or two points I should like to make while I am on my feet speaking on this amendment. I shall again quote from page 150 from the testimony of John A. Wolfe.

He was asked whether, because S. 174 had failed to become law in the last session, there had been increased exploration of these areas which might eventually be within the wilderness system, or whether it had cut back on such exploration. I quote Mr. Wolfe:

Several large mineral-producing companies in the West have continued exploration in the proposed wilderness areas which are still open to entry. I have asked representatives of the exploration organizations of these companies if they have located within these areas what they consider to be significant desposits warranting detailed exploration. None of these companies would spend exploration funds on a deposit which it felt did not have a chance of producing gross values in excess of a hundred million dollars. I set the cutoff date on this study at September 1961 to evaluate the potential difference between the mineral wealth of the Nation today and what it would have been had S. 174 of the 87th Congress become a law on the date it was passed by the Senate. I found that at least one significant deposit has been discovered every 3 months. I asked each of these men with whom I discussed this matter if the fact that the last bill did not become a law had given impetus to their exploration activities within the proposed wilderness areas. Each answered that, on the contrary, the fact that similar legislation was hanging over these areas inhibited exploration expenditures in these regions. This is very much the case with the activities of my group. We are reluctant to budget money which stands in serious danger of being lost.

He testified a few weeks ago. It seems to me that this testimony pinpoints the very question I have been discussing. In the short period of time, exploration of these areas, which would be locked up from any development and exploration, had shown significant deposits, at least one every 3 months.

Apparently, in referring back to this fact, he is talking in terms of significant deposits, with a deposit producing at least a hundred million dollars.

Therefore, it seems to me that we are dealing with an enormous facet of the economic wealth of this country, and we should not ignore this and throw it to one side. That is why our amendment deals with this area, and I hope it will be adopted.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. ANDERSON. I hope the Senator from Colorado will not leave in the record the statement that these three deposits which they found every 3 months had the possibility of producing a hundred million dollars. His statement was that the companies would not spend exploration funds on a deposit which did not have that capacity. No significant deposit of that kind has been found in Colorado so far as I have heard.

Mr. DOMINICK. I do not know of any such deposit from my own personal knowledge. However, he said that they would not spend these funds unless it had that capacity or they thought that it had a chance of producing a hundred million dollar deposit. Then he goes on to say:

I found that at least one significant deposit has been discovered every 3 months.

This presumably refers back to at least a very valuable deposit. I have been in the mining game myself, and I know that fervor and optimism are a part of every miner's makeup. If a miner did not have those characteristics, we would not have any mining going on. I would not say that this was the actual amount they had discovered.

Mr. ANDERSON. Did Mr. Wolfe indicate that these were deposits within a wilderness area?

Mr. DOMINICK. Yes. He said these are explorations that were made within wilderness areas.

Mr. ANDERSON. We raised the same question on that point. I did not have a chance to question Mr. Wolfe. However, we raised the question as to whether or not the maps which had been prepared and that were brought in to indicate areas affected by S. 4 were accurate. Dr. Boyd introduced them in evidence. It was conceded many areas outside the forests, long withdrawn, were indicated. Their status as to mining would not be changed. The discoveries could not be on these areas for they have long been closed. The Department of Agriculture has very strict regulations on prospecting in wilderness areas in the forests. They are not aware of any extensive prospecting or location of minerals in these areas.

Mr. DOMINICK. I call the Senator's attention to the first two sentences on page 150 of the hearings.

Mr. ANDERSON. He does say, "proposed wilderness areas." The Senator remembers that when we asked Dr. Boyd about the proposed wilderness areas, it developed that they were areas long closed to mining.

Mr. DOMINICK. Yes. I remember that statement. However, I still believe that the adoption of the pending amendment will take care of the point I have raised. I hope the Senator from New Mexico will support it, because I believe its adoption might be extremely important not only for our State and other States, but to his own State.

It seems to me that what we are doing here is merely getting permission to proceed with development within a limited period of time, so we can lay the basis to determine which mineral areas should be retained in the wilderness systems and which should be excluded from the wilderness system at a later date.

Mr. COTTON. Mr. President, may I be yielded 2 minutes on the bill?

Mr. ANDERSON. On the pending amendment?

Mr. COTTON. No, not on the amendment.

Mr. CHURCH. Mr. President, I shall be glad to yield 2 minutes to the Senator from New Hampshire on the bill.

Mr. COTTON. Mr. President, I am perfectly willing that this colloquy appear following the debate on the pending amendment, if that is desired.

I desire to ask the Senators in charge of the bill two questions for my own information. First, I note on pages 2 and 3 of the bill a definition of "wilderness." I shall not take the time out of the 2 minutes to read the entire definition; but it indicates that it is to be wilderness untrammeled. I take it that that means that there are to be no roads or highways through the area or no roads into it.

If the bill passes, and there are forest areas in the wilderness without entrance roads, does the bill preclude the building of roads for the purpose of harvesting timber in a reasonable way, consistent with sound conservation practices? Does the bill isolate the forests and prevent the building of roads under the authority of those in control, or does it not?

Mr. CHURCH. The wilderness system as defined in the bill is confined to certain specific areas which have already been specified as wilderness or primitive areas. Those areas are located in the national parks and in the national forests, where they have been designated as primitive areas and where no roads have been permitted for many years. So, apart from the areas which have already been set aside and so designated, and in which no roads have been permitted in the past, the bill has no application. However, in ordinary national park and forest lands, roads could be constructed where roads are not presently located.

Mr. COTTON. But not in lands affected by the pending bill?

Mr. CHURCH. Areas affected by the pending bill—in the national forests, for example—are the primitive areas which have been set aside as wilderness and in which roads are not now permitted under the existing regulations of the Forest Service.

Mr. COTTON. It is my recollection from past years, particularly when I served in the other body, that there has been, at certain periods, a long standing difference of opinion between the Park Service and the Forest Service as to whether the proper use is to let the forests remain virgin land, to let the forests rot and fertilize the ground, or whether the forests should be periodically harvested. Would the bill compel the former course in areas where forests exist?

Mr. CHURCH. Yes; I should say, however, that whatever differences of opinion may have existed in the past, the Forest Service now, as it has done for some years, strongly endorses the proposed legislation.

r. COTTON. I have one other ques-
, which relates to the title of section
n page 14: "Acquisition of certain
ately owned lands within the wilder-
s system." Section 4 begins:

ne Secretary of the Interior and the Sec-
ry of Agriculture are each authorized to
uire as part of the wilderness system any
ately owned land within any portion of
n system under his jurisdiction—

oes the word "within" mean that the
d which may be acquired under the
must be completely surrounded, or
s it mean that it may be surrounded
three sides or be contiguous to?

Mr. CHURCH. I thank the Senator
m New Hampshire for bringing it up,
that the record may be made per-
tly clear. The understanding of the
mmittee on Interior and Insular Af-
rs on this point is that this language
fers exclusively to any holding entirely
rrounded by wilderness or primitive
eas.

Mr. COTTON. That statement may
considered as a part of the legisla-
ve history of the bill?

Mr. CHURCH. Yes, it may. I am
ppy that the Senator from New
ampshire has raised the question, so
at there will be no ambiguity or con-
sion about the understanding of the
nguage.

Mr. COTTON. As the bill is now
ritten, there is no right of condemna-
ion?

Mr. CHURCH. The Senator is cor-
ect.

Mr. COTTON. Nor can any custom-
ry right or privilege, if there has been
uch, be taken away?

The PRESIDING OFFICER. The
ime of the Senator from New Hamp-
shire has expired.

Mr. CHURCH. Mr. President, I yield
a half minute to the Senator from New
Hampshire, and a minute and a half to
myself to respond to him.

Mr. COTTON. If there are existing
rights-of-way or roads, or even ways
that by prescription would be considered
rights- of-way, are they preserved, too?

Mr. CHURCH. The Senator is cor-
rect. This is an amendment that I
myself propose to the bill, because
there are in my State inholdings—
ranches—which were homesteaded many
years ago and which lie entirely within
primitive areas. We wanted to be per-
fectly sure that the owners of those
ranches were guaranteed the customary
usage of their property for ingress and
egress according to the customary ways.
So the bill provides, quoting now from
section 4, page 14:

Provided, however, That nothing in this Act shall be construed to confer a right of condemnation with respect to privately owned land within the boundaries of a wilderness area, or to impair any customary right or privilege heretofore enjoyed by the owners of such land, respecting access to it or to its ordinary use and maintenance.

Mr. COTTON. I take it that the language means a road or trail customarily used even if no legal right-of-way has been acquired because the land was owned by a corporation or for other reasons? Under the language in this bill such customary use would be presumed to have created a right-of-way?

Mr. CHURCH. The language speaks for itself. Whatever has been the customary method of ingress and egress would continue to be preserved.

Mr. COTTON. I thank the Senator from Idaho.

Mr. DOMINICK. Mr. President, the questions asked by the Senator from New Hampshire relate specifically not only to the points to which he was referring, but to the very amendment I have offered. Section 6(b), on page 16, clearly shows that there cannot be any access rights within any of the lands which are brought within the wilderness system, so far as road construction or the development of new roads is concerned. The only persons who would be entitled to retain any roads or access would be those who have inholdings. Consequently, any pertinent mining activity would be almost wholly barred by the present provisions of the bill, as would, of course, the harvesting of any timber that might be in any of the wilderness area. So that problem exists.

It seems to me that the amendment which I have offered, so far as mining is concerned, would specifically cure that problem and would allow 15 years in which to determine which of the areas should be taken out of the wilderness system and which should be permitted to remain within it.

Mr. CHURCH. Mr. President, I yield myself as much time as may be required, within the limitation.

At the outset, I must say it is very difficult for me to speak against the amendment. I am mindful of the importance of the mining industry. It is one of the chief industries of my State. I have always tried to uphold what I regard to be the legitimate interests of the mining industry. I have been the sponsor of many bills designed to be helpful to mining.

However, I am opposed to the pending amendment because I feel that to adopt it would be an act of contradiction. If wilderness areas are to be established and preserved, if we regard such preservation as being in the interest of our own and future generations, then the bill must be strong enough to protect the integrity of the wilderness it embraces. I submit that if this amendment were to be enacted into law, there would be no way, for the next 15 years, to guarantee the inviolability of the areas established—whereas the guarantee of their integrity is the very purpose of the bill.

Inasmuch as the Committee on Interior and Insular Affairs is largely composed of Members coming from the Western States, who understand the importance of mining, and strongly support mining activities, we have tried to be extremely reasonable in making every possible allowance for mining, which would not basically contradict the purpose of the bill or render it impossible to preserve these wilderness areas, once established by this legislation.

Let me refer to the provisions of the bill which make allowances for mining. First of all, there is the provision in section 6(b), which is to be found on page 16 of the bill. It makes clear that existing mines and valid, existing mining claims within the areas affected by the bill are to be preserved inviolate. The junior Senator from Colorado [Mr. DOMINICK] says another 15 years are needed for unrestricted exploration of these areas. Mr. President, I submit that there has been unrestricted exploration of these areas for more than a century; yet today only 6 mines are operating within the whole area which would be affected by this legislation. These mines will be unaffected and will continue their operations. All valid existing mining claims within the wilderness system are also protected by this legislation.

Furthermore, the bill provides that for the next 10 years, surveys are to be conducted by the Forest Service, within the primitive areas in the national forests, for the purpose of redefining the boundaries. The purpose of the surveys is to exclude from these areas portions which seem to have greater commercial value, or portions which seem to be more suitable for multiple use than for preservation as wilderness.

So I submit that, for the next 10 years, there will be ample opportunity for those tracts within the primitive areas of the national forests to be excluded whenever the surveys show there is commercially valuable mineral bearing rock which makes these tracts more valuable for commercial development than for preservation as wilderness.

Therefore, the difference, in this respect, may be only the difference between 10 and 15 years.

Mr. President, for one of these primitive areas in Idaho—the Selway-Bitterroot area—such a survey has been completed; and, in the process, over 450,000 acres were excluded, after they were found to have higher commercial value than wilderness value. So here, again, is a demonstration of how the bill can operate, during the next 10 years, to exclude from the primitive areas to be included in the wilderness system the mineral-bearing lands which have higher value for mining purposes.

But this is not all; the bill contains other protective provisions of even greater importance. Section 6(c)(8), on page 19 of the bill, provides that once the wilderness system has been established, limited prospecting can continue within the system as a matter of right, without need for permission from anyone. The only limitation on the prospecting is that it shall take such form as will not be incompatible with the surrounding wilderness environment. So all types of prospecting will not be denied within the wilderness system, once it has been established by the bill.

Finally, if I may call attention to section 6(c), on page 17 of the bill, in subsection (2) provision is made to allow for unrestricted prospecting and unrestricted mining within the wilderness system wherever the President finds that it is in the higher national interest to permit such prospecting or mining to occur.

I read from subsection (2) of section 6(c) of the bill:

(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including but not limited to exploration for oil and gas), mining (including but not limited to the production of oil and gas)—

Then I read from line 11:

upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial—

So, Mr. President, we have made very liberal allowances for all the reasonable requirements of the mining industry. We even have provided that unlimited prospecting and unlimited mining may take place within given wilderness areas if the President finds that the national interest so requires.

But if we do not leave with the President the authority to make such a determination, and if, instead, we adopt this amendment, then, for the next 15 years, we shall have denied ourselves the tools with which to protect the integrity of the very wilderness areas which the bill is designed to establish. That would be a total contradiction of purpose.

For this reason, I feel that the amendment should be rejected.

Mr. President, let me make a final observation: The primitive areas which are really the subject of concern, insofar as this amendment goes, constitute between 7 and 8 percent of the national forest lands. When the reviews are completed, the primitive areas will comprise an even lesser part of the national forests. So the restrictions which do exist in the bill apply to only a very small part of the national forests, and apply not at all to the rest of the land, which remains open for unlimited prospecting and unlimited mining activity.

So I suggest that we keep our eyes upon the doughnut, not upon the hole. If we do, I believe we shall conclude that the provisions of the bill are as reasonable and as adequate as they can be made to protect the legitimate interests of the mining industry and still have a wilderness bill.

Therefore, Mr. President, I urge the Senate to reject this amendment.

Mr. DOMINICK. Mr. President, will the Senator from Idaho yield for several questions?

Mr. CHURCH. I am happy to yield.

Mr. DOMINICK. The Senator from Idaho stated, as I understand, that all of this is taken care of, because, after all, within the primitive areas the Secretary of Agriculture can make the reviews within the next 10 years, and therefore everyone will be happy. But it is a fact that the bill as it now stands does not permit the President to do that; only the Secretary of Agriculture would do it.

Mr. CHURCH. The resources of the Government—including the mining and geological agencies of the Government—will be available for the surveys. These lands are not new or unexplored. They are familiar lands. So I think the surveys will be useful to determine the portions of these areas which are mineral bearing and have mining potential. In my State, not a single mine is located in any of the primitive areas involved in the bill, and none has been located in them for many, many years, although for a century these areas have been open to unrestricted prospecting. Therefore, I do not feel that any hurtful restriction is being imposed by the bill.

Mr. DOMINICK. Mr. President, will the Senator yield for a question?

Mr. CHURCH. I yield.

Mr. DOMINICK. It is my understanding that the only prospecting which is permitted is the prospecting permitted under subsection 8, page 19, of the bill. It must be done in a manner compatible with the preservation of a wilderness area. The only other way in which prospecting could be done would be with the specific permission of the President. Can the Senator from Idaho indicate to me why the President would authorize prospecting in any of the proposed areas on the ground that it would better serve the interests of the United States, when there is no opportunity to try to show the President, except by geological maps which may already be in existence, as to whether or not any minerals are present in the area?

Mr. CHURCH. I can think of instances that might cause the Chief Executive of our country to open up given areas for further exploration for mining purposes. It might be that a need for special minerals essential to the national defense would require it. That is the first and most obvious consideration that comes to mind. Depressed economic conditions in a given area might be another reason for authorizing unrestricted prospecting, where the general evidence indicates that valuable minerals may be present. The national defense requirement is the most obvious. But I am sure that other considerations could also form the basis for granting permission to prospect and to mine.

Mr. DOMINICK. We certainly could not say that the opportunity was free and open, could we?

Mr. CHURCH. I merely say that we cannot maintain a wilderness and leave it free and open for exploration, for prospecting, for mining, and for commercial activities. We shall either have a wilderness or we shall not. I believe it is in the national interest to establish and to maintain a wilderness system for reasons I have already explained. There are good and bad mining promotions. I am aware of some mining ventures in my State—and I am sure the same have occurred in the State of Colorado as well—that have had more to do with the mining of stockholders than the mining of minerals. I refer to speculations that are hardly worthy of the price of opening up a wilderness. Unless in the bill the President is given authority to prevent this from happening, we cannot effectively protect the wilderness that the proposed legislation is meant to preserve. The two things are inconsistent. They are contradictory. The amendment concedes as much by imposing a 15-year cutoff upon itself. If the inherent contradiction were not present, why have a time limit? The very fact that a time limit is included is an admission that the two concepts are inherently contradictory. On that basis I oppose the amendment.

Mr. DOMINICK. Mr. President, will the Senator yield at that point?

Mr. CHURCH. I yield.

Mr. DOMINICK. Is it not also a fact that the authors of the bill recognize the need for prospecting; otherwise they would not be supporting the measure at all?

Mr. CHURCH. Mr. President, as I have said, I think we have made every reasonable allowance for the mining industry that can be made, consistent with the principle of the proposed legislation and the objective it seeks to accomplish.

I should like to yield now to the distinguished Senator from New Mexico.

Mr. ANDERSON. Mr. President, this is a subject that we have all considered a great deal. We have mining in my home State. I am glad to see the mines do well. But the amendment is not the route to take to see that they do so.

I admit that Mr. Wolfe was an interesting witness. The Senator from Colorado quoted a good deal of what he said. Immediately above the portion that he quoted, on page 150 of the hearings, is the following interesting observation:

My own group has discovered one such deposit. If all of our preliminary work is substantiated, and if this deposit can be mined to depletion, at today's prices it will contribute $800 million. This would be the basis for $6 to $8 billion of construction.

That quotation leads me to believe that Mr. Wolfe was talking about an operation involving taking out materials for cinder block. I should hate to believe that the only place one could obtain materials for cinder block is in a wilderness area. There must be other places in which material for cinder block is available.

While Mr. Wolfe said much about how many significant discoveries have been made in the last few months, I point out that when one calls the Forest Service, a representative of that agency advises that they do not believe there have been any significant developments, except one development on the south end of Three Sisters, in respect to an area where gravel is being removed in order to make cinder block.

We have gravel all over the country. We do not have to go into a wilderness area to obtain it.

I call the attention of Senators to the fact that not too long ago we had a scandal because of what happened in the Al Sarena case. Some people had gone out and filed a mining claim on a virgin timber area in the State of Oregon. They never mined anything except the timber. They took out millions of dollars of timber on the basis of mining claims. I would hate to see wilderness areas destroyed that way.

The subject to me is not a new one. In the 81st Congress I introduced the bill S. 353 to protect the scenic values

ry to Aspen Basin Road and con- scenic areas inside the Santa Fe l Forest. We had to do that be- he people were going into the for- ng a mining claim on some gravel, ng one truckload of gravel, and utting up a hotdog stand. Where the finest scenic values, we then otdog stands.

troduced in the Congress a bill became Public Law 81–94.

have had this problem constantly where we have attempted to pro- and. It is easy to go into such take out a small amount of mate- nd say, "This is the essential pur- f the activity."

Boyd, while testifying on behalf American Mining Congress, intro- into the record a brief he pre- i to the House 2 years before.

that brief he had a table entitled overies S. 174 Would Have Pre- d." When we pinned Dr. Boyd , not a single one of those discov- would have been prevented by the . 174. Not a single one. He merely "Yes, they would have been pre- ed if the principles of S. 174 had applied all across the United es."

rely, if we proposed to stop mining ywhere, you could make a showing of es that cannot be developed.

asked the Department of Agriculture, ch has charge of wilderness areas, if knew of any of the significant dis- eries in the State of Colorado that Wolfe had talked about. They said had no knowledge of mineral dis- eries in the national forests of any h magnitude as he was talking about he last two years.

The Kennecott Copper Corp. was erested in a little place called Gla- Peak. It was about a 4- or 5-year- claim. It had nothing to do with 174. It will be very interesting to fol- along these developments and find what great discoveries Mr. Wolfe s talking about as being made in the lderness areas. I think he was talking out the national forests, not the lderness areas.

When we pinned Dr. Boyd down, we und that he referred to 66 million res being sterilized from mining by 4. There were not that many acres volved. He could not tell which acres eing included were closed to mining ng ago and which acres were not. We now which acres being put in the wil- erness system have long been restricted. hat includes acres in the wild, wil- erness and canoe areas. The primi- ive areas will be reviewed.

Mr. President, I hope that the amend- ent will be rejected. I regard it as an xtremely destructive amendment to the ill. I hope it will not be a part of the roposed legislation.

Mr. DOMINICK. Mr. President, I yield back the remainder of my time. I am ready to vote.

Mr. CHURCH. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 38 of the Senator from Colorado [Mr. ALLOTT]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ANDERSON (when his name was called). On this vote I have a pair with the distinguished senior Senator from Colorado [Mr. ALLOTT]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. METCALF (after having voted in the negative). On this vote I have a pair with the Senator from Nevada [Mr. CANNON]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the Senator from Texas [Mr. TOWER]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from North Carolina [Mr. JORDAN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Rhode Island [Mr. PELL], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

On this vote, the Senator from North Carolina [Mr. JORDAN] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from North Carolina would vote "nay," and the Senator from Utah would vote "yea."

On this vote, the Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Wyoming [Mr. SIMPSON]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from Wyoming would vote "yea."

On this vote, the Senator from Rhode Island [Mr. PELL] is paired with the Senator from Oklahoma [Mr. EDMONDSON]. If present and voting, the Senator from Rhode Island would vote "nay," and the Senator from Oklahoma would vote "yea."

I further announce that, if present and voting, the Senator from Ohio [Mr. LAUSCHE], and the Senator from Missouri [Mr. LONG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent because of the death of his mother.

The Senator from Utah [Mr. BENNETT] and the Senator from Wyoming [Mr. SIMPSON] are absent on official business.

The Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. CURTIS], the Senator from New York [Mr. JAVITS], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is detained on official business.

The respective pairs of the Senator from Colorado [Mr. ALLOTT] and that of the Senator from Texas [Mr. TOWER] have been previously announced.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from North Carolina [Mr. JORDAN]. If present and voting, the Senator from Utah would vote "yea," and the Senator from North Carolina would vote "nay."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from New Jersey [Mr. CASE]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from New Jersey would vote "nay."

On this vote, the Senator from Wyoming [Mr. SIMPSON] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Alabama would vote "nay."

If present and voting the Senator from New York [Mr. JAVITS] would vote "nay."

The result was announced—yeas 26, nays 56, as follows:

[No. 41 Leg.]

YEAS—26

Bartlett	Fong	Mechem
Beall	Goldwater	Morton
Bible	Gruening	Mundt
Carlson	Hayden	Pearson
Cotton	Hickenlooper	Prouty
Dirksen	Hruska	Scott
Dodd	Jordan, Idaho	Thurmond
Dominick	Long, La.	Young, N. Dak.
Ellender	Magnuson	

NAYS—56

Aiken	Humphrey	Nelson
Bayh	Inouye	Neuberger
Boggs	Jackson	Pastore
Brewster	Johnston	Proxmire
Burdick	Keating	Randolph
Byrd, Va.	Kefauver	Ribicoff
Byrd, W. Va.	Kennedy	Robertson
Church	Kuchel	Russell
Clark	McCarthy	Saltonstall
Douglas	McClellan	Smathers
Eastland	McGee	Smith
Engle	McGovern	Stennis
Ervin	McIntyre	Symington
Fulbright	McNamara	Talmadge
Gore	Miller	Williams, Del.
Hart	Monroney	Williams, N.J.
Hartke	Morse	Yarborough
Hill	Moss	Young, Ohio
Holland	Muskie	

NOT VOTING—18

Allott	Curtis	Mansfield
Anderson	Edmondson	Metcalf
Bennett	Javits	Pell
Cannon	Jordan, N.C.	Simpson
Case	Lausche	Sparkman
Cooper	Long, Mo.	Tower

So amendment No. 38 was rejected.

Mr. METCALF. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. CHURCH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMINICK. Mr. President, I call up the amendment identified as No. 34.

The PRESIDING OFFICER. The amendment will be stated.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the amendment may be considered as read, and that it be printed in the RECORD at this point.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 3, line 23, strike out all through line 3 on page 6 and insert in lieu thereof the following:

"(b)(1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, or canoe: *Provided,* That the areas within the national forests classified as primitive may be included in the wilderness system as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. While being reviewed and until action is taken as provided by this subsection, primitive areas shall be administered so as to preserve their present status and condition. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided,* That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be included in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value: *Provided further,* That following such exclusions and additions any primitive area recommended to be included in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the inclusion in the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided,* That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a primitive area and shall be administered as other national forest lands: *And provided further,* That primitive areas with respect to which recommendations are submitted to Congress on the eighth, ninth, and tenth years of the review period herein provided shall retain their status as primitive areas until the expiration, in respect to each area, of a full session of Congress, two years for resubmission of revised recommendations to Congress by the President, and, if so resubmitted, until the expiration of a full session of Congress thereafter. Recommendations on all primitive areas not previously submitted to the Congress shall be made during the tenth year of the review period. Any primitive area, or portion thereof, on which a recommendation for inclusion in the wilderness system has not become effective within fourteen years following the enactment of this Act shall cease to be a primitive area and shall be administered as other national forest land."

Mr. DOMINICK. Mr. President, I call up this amendment because I believe it is of extreme importance to the pending bill. There are enough Senators on the floor so that I can explain it rather rapidly.

Mr. COTTON. Mr. President, may we have order so we can hear what the Senator is saying?

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOMINICK. Mr. President, the amendment, prepared by my colleague [Mr. ALLOTT] does only one thing. What it does is to change the method by which primitive areas would be included within the wilderness system. As the bill is now written, all areas which are classified as wilderness, wild, canoe, and primitive, are automatically included within the wilderness system. Then the Executive is given 10 years for evaluation and recommendation to determine whether these areas should come out of the wilderness system.

The amendment of my colleague from Colorado shifts this around. What it does is to provide that the primitive areas will remain within their present classification and will be evaluated over a period of 10 years, and that then a recommendation will be made for inclusion of the proper areas within the wilderness system.

This is a holding in status quo of the primitive areas at the present time until evaluation can be made as to the most useful purpose for these particular areas. Once that recommendation has been made, the Secretary would come to Congress and say, "This is the way we think these primitive areas ought to be included or not included within the wilderness system."

His recommendation would be final unless vetoed by Congress.

This is not my colleague's affirmative action amendment. This deals specifically with the primitive areas alone, and it says, in effect, "We will evaluate them before we put them into the wilderness system."

Is there any purpose in this? What is the need of doing it this way?

I assure the Senate that I sat for weeks in the committee hearings during 1961 and 1962, in the other body, while the bill was being discussed in depth. The principal objection of most of the witnesses who came before the committee was with respect to the question of whether or not the primitive areas should be blanketed in immediately or whether they should be evaluated and brought in later. Almost every witness, except members of the Sierra Club, and a few other strong conservation groups, felt that the evaluation should come first and then the primitive areas should be brought in.

This was effected by an amendment in committee in the House in the 87th Congress. It came under sharp attack by some of the conservation groups. It was an amendment which was proposed by more witnesses as being valuable to the passage of the bill than any other amendment that was offered by any group.

This has an impact, I can assure Senators, on the question whether or not a wilderness system will be created by legislation and will be adopted by the other body. If we can get this amendment adopted and a subsequent one which I will offer at a later time, we will have a chance of getting through Congress legislation creating a wilderness system.

I should like to make some points which I believe are very important. The first is with respect to the question of whether the Department of the Interior, as such, would have any objection to this kind of action. During the process of the hearings before the Senate subcommittee I asked the Secretary of the Interior whether he recalled saying he had no objection to this type of amendment. This is fairly important, and I would like to have order in the Senate.

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOMINICK. The Secretary of the Interior indicated that he had never made such a statement. I refer Senators to the hearings before the Subcommittee on Public Lands of the Committee on Interior Affairs in the House of Representatives in the 87th Congress, at page 1170. This is the statement.

The first question is by me to the Secretary of the Interior:

> I gather, Mr. Secretary, you would rather put everything—this means all the areas—and then eliminate, rather than start with what we think ought to be in and adding to it as the classification goes on.
>
> Secretary UDALL. No. I thought I made it clear in my colloquy with Congressman RIVERS that I favored the other approach, except for the Forest Service wilderness area. I think this is a very clear-cut case. But I think we ought to start with a guideline and instruction from Congress that we have 10 years to make this review and to recommend what should go in, rather than saying put it in and then let us review to see whether it should come out. I think that is the wrong way to go about it.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. METCALF. Is that the Secretary of the Interior testifying?

Mr. DOMINICK. This is the Secretary of the Interior, Mr. Udall, testifying.

Mr. METCALF. He was testifying about forest areas?

Mr. DOMINICK. He was testifying about the primitive areas.

Mr. METCALF. He has no jurisdiction over primitive areas; it is the Secretary of Agriculture who has that jurisdiction.

Mr. DOMINICK. I understand. However, the Secretary of the Interior, who has a close connection with the whole wilderness system, and who works very well in most instances with the Secretary of Agriculture, in this particular phase of their operations, specifically said in the hearings, held May 7, 8, 9, 10, and 11, 1962—I do not know which particular day this was touched on—that he favored the approach which was recommended in this particular amendment.

The other day, when he was before the committee, he said, in answer to my question about this testimony, that he

lid not so testify. Apparently his recollection was in error.

I bring this up because I believe it shows that after analysis of all the testimony which had been given before the other body and in its subcommittee during last year, on consideration of the bill, the Department of the Interior at that time thought the approach which is recommended by this amendment was a better approach than the one that is now in the bill.

I next refer to the recommendations in the report on "Outdoor Recreation for America."

On page 113 of this report, there appears:

Recommendation 1 to 10: Primitive areas (class V) should be carefully selected and should be managed for the sole and unequivocal purpose for maintaining their primitive characteristics.

Just prior to that, the report states:

Areas in this class—

Talking about primitive areas—

are inspirational, esthetic, scientific, and cultural assets of the highest values. They, and they alone, satisfy the longing to leave behind for a time all contact with civilization.

I add, so do wilderness areas.

Fortunately, they are a resource of which the country still has an abundant supply and which it can afford to preserve from other uses for the benefit of future generations. At the same time, it must be recognized that there are some areas which meet the physical requirements of this class but which for economic and social reasons are more valuable for some other purpose.

Mr. President, I have recited that language and placed it in the RECORD because it seems to me that rather than blanketing in a great area of primitive land, which amounts, according to committee print No. 26, as of August 31, 1962, to 7,852,958 acres—I observe what seems to be a difference in the amount of acreage between that shown in the RECORD and that in the committee print.

Mr. CHURCH. Mr. President, will the Senator yield, so that I may explain the discrepancy?

Mr. DOMINICK. I yield.

Mr. CHURCH. The difference results from the fact that three primitive areas have been designated as wilderness by the Secretary of Agriculture between the time the Senate last considered the bill and the present time. This has caused a reduction in the amount of acreage presently in the primitive areas within the national forests. I think the correct current figure is a little in excess of 6 million acres.

Mr. DOMINICK. I thank the Senator from Idaho for clearing up that point. This means that more acreage has gone into the wilderness area, does it not?

Mr. CHURCH. More acreage has gone into the wilderness area, and a large amount of land has also been restored to ordinary forest status for multiple use. The total extent of the wilderness system has been reduced somewhat by virtue of the surveys which have taken place in the past 2 years.

Mr. DOMINICK. Mr. President, the point I seek to make again is that if the Senate adopts the amendment, it will nevertheless be putting into the wilderness system immediately, and without any review or reevaluation, 8,220,403 acres of land which are now classified as wilderness, wild, or canoe. We will also be saying that primitive areas comprising 6,098,532 acres will stay in that classification while they are being reevaluated during a period of 10 years to determine whether they will be brought within the wilderness system or will be held in regions where the primitive areas are located.

The recommendations of Governors will be obtained, as will the recommendations of the Department of Agriculture. Those recommendations will be submitted to Congress. The recommendations provided in the bill as it is now written will go into effect unless either House of Congress vetoes the recommendations. It seems to me that that would be a logical and proper way to proceed. It is a way which I know would receive almost unanimous approval if the amendment were adopted. If we were to adopt this amendment and one more amendment, I believe there would not be a dissenting vote in this body against the bill.

With respect to the basic theory of whether we should blanket this huge area in immediately, and then try to take it out over a period of 10 years, Senators will recognize the pressure which we would be under to retain such land, because we have been in situations of this kind before. The pressures would be strong to keep the land in. Unless the other method is chosen, we shall simply be saying that we will take in all areas, having a total of more than 14 million acres, and locking them up so that only those people who have the physical capacity and the money either to explore it by foot or by organized pack trip can go in and have the use, availability, and enjoyment of this enormous area.

As I have said before, I believe this would be the logical procedure. The land is not classified at the moment as to its most valuable use. Under the amendment, it would be kept in the same condition in which it now is, and 10 years would be provided for a careful evaluation of each of the areas. Hearings would be held to determine their use in the areas involved, so that Congress could then determine what eventually would be done with the property.

Mr. President, I reserve the remainder of my time.

Mr. CHURCH. Mr. President, the distinguished Senator from Colorado has said that if the present amendment and the next amendment he proposes to offer were adopted, the Senate would approve this legislation by a unanimous vote. I do not agree. If this amendment and the next amendment are adopted, I shall vote against the bill, because I think the two amendments, taken together, would gut the bill utterly.

With respect to the pending amendment, I suggest that if it is adopted, we shall simply undo what we have just done. We have just rejected an amendment which would have left the wilderness system open to unlimited prospecting and unlimited mining for the next 15 years. Why did we reject that amendment? Because we recognized that it is not possible to establish a wilderness system and then not preserve it from violation; the two concepts are in contradiction. We cannot have a wilderness and then open it up, for 15 years, to uncontrolled commercial activity.

The pending amendment is a backdoor approach to accomplish the identical purpose, not during 15 years, but during 10 years. The amendment provides that the primitive areas in the national forests, which the bill incorporates into the wilderness system, shall be subject to a review which will occur over the next 10 years, to redefine the boundaries, to include permanently within the wilderness such parts of those primitive areas as are predominantly wilderness in character, and to exclude from the system those parts which are predominantly of a multiple-use value—whether for mining, lumber, or other commercial use.

The bill provides that the review shall take place during a period of 10 years. Resulting Presidential recommendations will be made, subject to a veto on the part of either the Senate or the House.

Now, the current amendment would leave the primitive areas outside the system until the reviews have taken place. That means that during the period of 10 years, while the reviews were actually being conducted in the field, the gates would be open to uncontrolled prospecting and mining. So the wilderness character of these areas could not be preserved during this 10-year period.

Mr. President, if the bill is a good bill, as I believe it to be; if its enactment would serve the public interest, as I believe it would; if it makes every reasonable allowance for mining activity within the wilderness that is consistent with the principle and purpose of the bill, as I am sure it does; then it is obviously wrong to accept the amendment, and is utterly inconsistent with the action the Senate has just taken.

I therefore urge the Senate to reject the amendment.

Mr. President, if no other Senator wishes to be heard, I yield back the remainder of the time under my control.

Mr. DOMINICK. Mr. President, having reserved the remainder of my time, I wish to make a brief rebuttal.

It does not seem to me that the Senator from Idaho has properly analyzed the amendment. It specifically holds in their present status and condition all primitive areas, while the review is being made. Consequently, there would not be any more wide-open infiltration of the areas—although such infiltration has been intimated by the Senator from Idaho—than there would be now within the primitive areas. As he has said from time to time in the committee, at this time not much is permitted to go on in the primitive areas. So we would not be changing that status at all; but we would be providing adequate time in

which to determine whether these areas should or should not be locked up. The evaluation would be made after a hearing held in the area; and the local people, and also the Governor himself, could make statements at the hearing. Then the evaluation would be based on their recommendations; and it would be submitted to the President, and then it would be submitted by the President to Congress. Under the bill as it now stands, in order to overturn that recommendation, whatever it might be, Congress would have to veto the President's recommendation.

So, Mr. President, it seems to me that we have included every possible safeguard to prevent the spoiling of these areas. We simply ask for time in which to ascertain what is in these areas, before they are locked up and before the general public is prevented from having access to them and is prevented from making use of them.

The bill is for the purpose of outdoor recreation; and special funds would be provided for this purpose, because the need for outdoor recreation is so great. Yet we know that historically not more than 2 percent of the people ever go into wilderness areas; and some of these areas may be needed for special purposes. The need will be determined as a result of the surveys, and the determination will be subject to being dealt with by Congress. But it is important that this opportunity be preserved, so that these areas may be dealt with in this way.

Mr. President, I yield back the remainder of the time under my control.

On the question of the adoption of the amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. McINTYRE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote, I have a pair with the distinguished junior Senator from Texas [Mr. TOWER]. If the Senator from Texas were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. MONRONEY (when his name was called). On this vote I have a pair with the senior Senator from Colorado [Mr. ALLOTT]. If he were present and voting he would vote "yea." If I were at liberty to vote I would vote "nay." I therefore withhold my vote.

Mr. METCALF (after having voted in the negative). On this vote I have voted "nay." I have a pair with the Senator from Nevada [Mr. CANNON]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withdraw my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Wyoming [Mr. SIMPSON]. If present and voting, the Senator from Virginia would vote "nay" and the Senator from Wyoming would vote "yea."

On this vote, the Senator from Missouri [Mr. LONG] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Missouri would vote "nay" and the Senator from Arizona would vote "yea."

On this vote, the Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Oklahoma [Mr. EDMONDSON]. If present and voting, the Senator from Alabama would vote "nay" and the Senator from Oklahoma would vote "yea."

On this vote, the Senator from Virginia [Mr. ROBERTSON] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Virginia would vote "nay" and the Senator from Utah would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent because of the death of his mother.

The Senator from Utah [Mr. BENNETT] and the Senator from Wyoming [Mr. SIMPSON] are absent on official business.

I also announce that the Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. CURTIS], the Senator from New York [Mr. JAVITS], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Arizona [Mr. GOLDWATER] is detained on official business.

The respective pairs of the Senator from Colorado [Mr. ALLOTT] and the Senator from Texas [Mr. TOWER] have been previously announced.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Utah would vote "yea" and the Senator from Virginia would vote "nay."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from New York [Mr. JAVITS]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from New York would vote "nay."

On this vote, the Senator from Arizona [Mr. GOLDWATER] is paired with the Senator from Missouri [Mr. LONG]. If present and voting, the Senator from Arizona would vote "yea" and the Senator from Missouri would vote "nay."

On this vote, the Senator from Wyoming [Mr. SIMPSON] is paired with the Senator from Virginia [Mr. BYRD]. If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Virginia would vote "nay."

The result was announced—yeas 21, nays 61, as follows:

[No. 42 Leg.]

YEAS—21

Bartlett	Dirksen	Hayden
Bible	Dodd	Hickenlooper
Carlson	Dominick	Holland
Cotton	Gruening	Hruska
Jordan, Idaho	Morton	Saltonstall
Long, La.	Mundt	Thurmond
Mechem	Pearson	Young, N. Dak.

NAYS—61

Aiken	Hill	Nelson
Anderson	Humphrey	Neuberger
Bayh	Inouye	Pastore
Beall	Jackson	Pell
Boggs	Johnston	Prouty
Brewster	Jordan, N.C.	Proxmire
Burdick	Keating	Randolph
Byrd, W. Va.	Kefauver	Ribicoff
Case	Kennedy	Russell
Church	Kuchel	Scott
Clark	Magnuson	Smathers
Douglas	McCarthy	Smith
Eastland	McClellan	Stennis
Ellender	McGee	Symington
Engle	McGovern	Talmadge
Ervin	McIntyre	Williams, N.J.
Fong	McNamara	Williams, Del.
Fulbright	Miller	Yarborough
Gore	Morse	Young, Ohio
Hart	Moss	
Hartke	Muskie	

NOT VOTING—18

Allott	Edmondson	Metcalf
Bennett	Goldwater	Monroney
Byrd, Va.	Javits	Robertson
Cannon	Lausche	Simpson
Cooper	Long, Mo.	Sparkman
Curtis	Mansfield	Tower

So amendment No. 34 was rejected.

Mr. METCALF. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. CHURCH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOMINICK. Mr. President, I call up amendment 37 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 17, line 20, it is proposed to strike the words "restrictions and".

Mr. METCALF. Mr. President, during the course of the committee action, when this amendment was offered, I resisted it because I did not know what effect the use of the words "restrictions and" would have on the Taylor Grazing Act, title 43, section 315, and the following. The headnotes in the Taylor Grazing Act provide authority for the Secretary of the Interior to impose restrictions, and down through the various sections of that act there are also provisions for restrictions.

Since that time I have had an opportunity to make some research into this question, and I find that the term "regulation" and the term "restriction" are frequently used as synonymous. For instance, "regulation," according to Webster's Dictionary, means:

> A regulating principle or law; specifically a rule or restriction prescribed and enforced by constituted authority for the sake of order, uniformity, discipline, etc.; as the regulations of a school or society.

"Restriction" means:

> That which restricts; a limitation; a qualification; a regulation which restricts or restrains; as, to make restrictions; new restrictions for hunters.

The use of the term "regulation" in a statute is very comprehensive. *City of*

dison v. *So. Wisconsin Ry. Co.*, 146 ., 492,500; 156 Wisconsin 352.

n the case of *Stone* v. *Cray*, 89 N.H. , 200 A. 517, the court said: "Restric- s can be embraced in regulations." was that court that talked about the islative "language of redundancy and nonyms." And many cases hold that ere we indulge in this legislative tology and say "rules and regula- ns," "regulate and control," or "reg- tions and restrictions," the words are nonymous.

The point is made that use of the rd "restriction" would permit arbi- ry and discriminatory action on the rt of the Secretary and of course that to be avoided. Under the general and cepted meaning of the word "regula- n" it gives the Secretary adequate au- ority to make the regulations that are cessary to carry out the intent of the t; namely, the preservation of the area.

In the course of a short research on is question I found a case in which thorization to regulate sale of liquor rried with it authority to restrict sales certain areas. Authorization to reg- ate traffic permitted a restriction of uck and commercial traffic to certain reets, et cetera.

I have come to the conclusion that hen one uses the words "restrictions" nd "regulations" together they are nonymous, and the cases so hold; and at it is only a matter of redundancy use an additional word. Therefore, here would be plenty of authority in he hands of the Secretary to impose, necessary, grazing regulations if the mendment were agreed to.

Lastly, of course, under the provisions f the Constitution, the Congress has uthority to take care of the property of he United States under such regulations s it may care to make.

The word "regulations" is good enough or me. I would suggest that the Sena- or in charge of the bill accept the mendment.

Mr. DOMINICK. I thank the Sen- tor.

Mr. CHURCH. Mr. President, I con- ur in the remarks and the interpreta- ion made by the Senator from Montana. am willing to accept the amendment. I uggest a voice vote.

The PRESIDING OFFICER. Do the Senators yield back their remaining ime?

Mr. CHURCH. I yield back the re- nainder of my time.

Mr. DOMINICK. Mr. President, I yield back my remaining time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to amendment No. 37.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOMINICK. Mr. President, I call up amendment No. 36 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the infor- mation of the Senate.

The LEGISLATIVE CLERK. On page 17, line 2, it is proposed to strike out the word "President" and substitute in lieu thereof the words "appropriate Secretary."

Mr. DOMINICK. Mr. President, this is a simple amendment both in language and in meaning. If I may have the attention of Senators for a few moments, I think we can dispose of it also by a voice vote.

I strongly urge that the Senator in charge of the bill think carefully about the amendment.

The language as it now prevails in the bill would give to only the President the power to authorize prospecting or mining or the establishment and maintenance of reservoirs, water conservation lines, transmission lines, and other facilities needed in the public interest, and only when he determined that this would better serve the interests of the United States.

This is particularly important in the water development field. That is the point I am trying to make.

What the senior Senator from Colorado [Mr. ALLOTT] has offered, in conjunction with myself, is a provision which would simply substitute the words "appropriate Secretary" for the word "President."

I think we are all aware of the great burdens which fall on the President of the United States. On the other hand, the Secretary of the Interior or the Secretary of Agriculture, as the case may be, is specifically designated by Congress to deal with the problems we shall be facing in respect to this particular provision.

It seems to me only proper tc permit those who are best qualified on this particular subject to make the decision.

I am relatively positive that no President, regardless of who he may be, would make such a decision without a recommendation of the appropriate Secretary. Therefore, why not take some of the burden off the President and put it on the Secretaries who know more about the subject?

I reserve the remainder of my time.

Mr. CHURCH. Mr. President, I yield to the distinguished Senator from New Mexico [Mr. ANDERSON] such time as he may require.

Mr. ANDERSON. Mr. President, this question was discussed in committee. The reason we left the language in as it is in the bill is that there are certain functions which do not relate to a Secretary, appropriate or otherwise. It is all very well to say, "Leave it to the Secretary, and not the President," but what are we to do when the Federal Power Commission is involved? The Federal Power Commission is involved in transmission lines.

While I agree with the Senator from Colorado that the President would take the advice of the appropriate Secretary when the Department of Agriculture and the Department of the Interior were involved, for example, other departments may be involved. I think it is wise to leave in the word "President" rather than say "appropriate Secretary."

I hope the amendment will be defeated, because while we know the Federal Power Commission is one agency that may be involved, it is also true that other agencies may be involved. I would dislike to reach the point where there was no "appropriate Secretary," and no action could be taken.

The Senator from Colorado has correctly pointed out that the President would take the advice of the appropriate Secretary, but I believe the language should remain "the President." I hope the amendment will be defeated.

I suggest that the remainder of the time be yielded back and that there be a voice vote on the amendment.

Mr. CHURCH. Mr. President, I yield back the remainder of my time.

Mr. DOMINICK. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to amendment No. 36.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum.

Mr. ANDERSON. Mr. President, I do not think there is any provision as to whether or not the time for the quorum call be taken out of the existing time allotted, but I ask unanimous consent that the time for taking the quorum call be not charged to either side.

Mr. DOMINICK. Mr. President, I withdraw my suggestion of the absence of a quorum temporarily, and yield to the Senator from Iowa [Mr. MILLER].

Mr. MILLER. Mr. President, I send to the desk an amendment and ask to have it stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Iowa will be stated.

The CHIEF CLERK. It is proposed to strike out lines 19 through 25 on page 16, and insert in lieu thereof the following:

(1) Within the wilderness system the use of aircraft or motorboats where these practices have already become established shall be permitted to continue subject to such regulations as the appropriate Secretary finds necessary. In addition, such measures may be taken as are necessary in the control of fire, insects, and diseases, subject to such regulations as the appropriate Secretary finds necessary.

Mr. MILLER. Mr. President, I believe this amendment merely ties down the language a little more neatly. It conforms with a previously adopted amendment changing the word "restrictions" to "regulations" and also the word "conditions" to "regulations," so the Secretary will actually be issuing regulations.

It also provides the mandatory word "shall" rather than the word "may," under the conditions set forth in the paragraph of the bill.

I have discussed the amendment with the Senator in charge of the bill. I understand there is no objection to it.

Mr. ANDERSON. Mr. President, will the Senator from Iowa give us a moment to take another look at it?

Mr. MILLER. Mr. President, there is no intention to inhibit the effectiveness

of the bill, but I believe, on the basis of my experience in working on this particular bill in the previous session, when I had the honor of being a member of the Committee on Interior and Insular Affairs, that it will meet the requirements and desires a little better than the present language.

Mr. CHURCH. Mr. President, we have reviewed the language of the amendment. We see no particular objection to it. The purpose of the original language was to preserve intact the practice, wherever airplanes or motorboats have been used to go into primitive areas, that is, wherever the practice has been established. The Senator from Iowa believes his language makes more definite the intent of the committee. We have no objection to accepting it. We find the language unobjectionable.

Mr. MILLER. Mr. President, I yield back the remainder of my time.

Mr. CHURCH. Mr. President, I yield back the remainder of my time. I suggest that a voice vote be taken on the amendment.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Iowa [Mr. MILLER].

The amendment was agreed to.

Mr. DOMINICK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMINICK. What is the present status of the bill?

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum. Let me say, in conjunction with this request, that I understand the majority leader said that the time taken for a quorum call would not come out of the time of either side.

Mr. ANDERSON. Mr. President, I did not hear the announcement, but I would agree to such an arrangement.

I ask unanimous consent that that be done, if there is any question.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MCINTYRE in the chair). Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I call up amendment 32 and ask for the yeas and nays on it.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment Congress approves a concurrent resolution declaring itself in favor of such recommendation: *Provided*, That, in the case of a recommendation covering two or more of the areas covered or parts thereof.

The PRESIDING OFFICER. Is the request for the yeas and nays sufficiently seconded?

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, I approach the discussion of the pending amendment with some hesitation, only because I am afraid I cannot do as much justice to it as Senator ALLOTT could do if he were here. It is extremely unfortunate, in my opinion, that he is unable to be with us today. Obviously he is unable to because of a death in his family.

This is probably the most important amendment we will consider in connection with the pending bill. In fact, I am sure it is. This does not involve merely the bill; it involves also the concept of whether Congress will retain affirmative control over the public lands of the United States, or whether it will simply retain the veto power over the exercise of judgment by the Secretaries of the various departments that are involved.

It is worthwhile noting that with respect to almost all phases of activity connected with the Department of Agriculture or with the Department of the Interior, which are involved in this particular bill, before public lands can be classified for a particular purpose, or used in a different way, affirmative action must be taken by Congress.

I brought this up yesterday in the process of the discussion, and I pointed out that with respect to any reclamation project in the western area of the country, we must first authorize the project, after it has been investigated by the Department, and then we appropriate funds for it.

I pointed out that in the case of setting aside of public lands for national parks, Congress determines the degree of land and the amount of land that will be included within national parks, and does it upon the recommendation of the Secretary, and following hearings all the way through.

I pointed out, and I believe it should be repeated today, that in subsection (h) of the pending bill, on page 11, there is this provision:

ADDITION OR ELIMINATION NOT PROVIDED FOR IN THIS ACT

(h) The addition of any area to, or the elimination of any area from, the wilderness system which is not specifically provided for under the provisions of this Act shall be made only after specific affirmative authorization by law for such addition or elimination.

In the Park System, as in the wilderness bill itself, we have the provision that additions to it and eliminations from it shall be by affirmative authorization.

In connection with reclamation projects, affirmative action is required.

I might say that I do not know of an instance in which Congress does not retain affirmative control, except in two cases; the first is in the Reorganization Act, which is merely a reorganization of the executive branch. It does not involve our basic land policy. The other is in the pending bill as it is now proposed.

The defense for the present situation, that the recommendation of the executive branch becomes final unless Congress vetoes it, is that this is the only way in which we can be sure of getting a vote on every recommendation that is made.

I would say that although this statement has been made, it is begging the basic issue. Obviously, we can get a vote on any subject if we fight for it long enough. We have done that in connection with civil rights legislation, which has been a subject of some concern to this body on many occasions. However, civil rights legislation has come up and has been passed.

We have done it in the House. There are a good many methods by which bills can be brought before the other body for some kind of action. It could be true here. To say that we could not get a vote on these matters, because so and so or such and such a thing would not do something or take certain action, is not dealing with the basic issue. It is finding an expedient and using it in the face of a principle which is the very subject of this amendment. That principle, I repeat, is the question of whether or not Congress will retain its affirmative control over the public lands and the public land policy. What would this involve? What would it mean? It does not mean as much as appears on the surface except with respect to the principle that is involved.

We shall be blanketing in automatically all wilderness, wild, and canoe area—8,220,403 acres. That acreage will be blanketed into the wilderness system regardless of what happens.

Under the bill, we shall be including initially 6,098,532 acres of area classified as primitive. This area will be subjected to review by the Secretary over a period of 10 years. He will submit his recommendations to Congress. Under the bill as it is now written, those recommendations will become final unless either House of Congress vetoes them. Under the provision as proposed in the amendment, if adopted, those recommendations would be made to the committees, and the committees would determine whether action should be taken upon them or whether it should not.

In addition, there is the National Park System, which must be reevaluated under the provisions of the bill. The National Park System comprises 22,560,000 acres, all of which would be subjected to review in connection with the wilderness system to determine which portions ought to go into wilderness and which would remain in national park status. Each of these areas would be automatically taken within the wilderness system or eliminated from it upon the recommendation of the Secretary, unless Congress vetoed the proposal.

It seems to me that Congress ought to retain its control over the National Park

stem. We should say that we, as representatives of the people of the country, will determine for ourselves whether a certain portion of this system should be placed within the wilderness system.

The national wildlife refuges comprise 554,014 acres. These are public lands that belong to all the people. They should be reviewed by the representatives of the people to determine whether they should be included in the wilderness system, or whether they should be locked up and not used, or whether they should remain in the national wildlife refuges or national parks, where they will be open to the people who use those areas. I repeat what I have said before: I would like nothing better than to be in a position to vote for a legislative wilderness system. However, I am not willing to do so on the basis of a compromise with the principle involved in the amendment. The principle involved in the amendment is whether Congress will retain control over the National Park System, the national wildlife refuges, the primitive areas, and the wilderness system itself, or whether it will simply dispose of such control and keep only a right of veto so useful. It is more than we now have; I am willing to admit that. But when we have a proposal under which Congress can regain the necessary power over the public lands of the country which was given to it originally, it seems to me we ought to take what we can put into the law for a fruitful purpose, so that we will have the opportunity to decide, after hearings, which portions of the public lands will be included within which portions of the particular systems concerned.

Mr. JORDAN of Idaho. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield to the distinguished Senator from Idaho.

Mr. JORDAN of Idaho. Mr. President, I wish to associate myself with the remarks of the distinguished junior Senator from Colorado. I doubt if there is a Senator who is more in favor of preserving a segment of our country in its natural state, for the enjoyment of present and future generations, than I. I can think of few things more wasteful and thoughtless than to destroy all the primeval areas in our Nation, so that future generations could never see for themselves what this continent was like centuries ago. But there are honest differences of opinion as to the best way to accomplish this purpose.

I wish to speak in support of the pending amendment to the wilderness bill, an amendment which I am privileged to cosponsor with the senior Senator from Colorado [Mr. ALLOTT] and other Senators. I think the amendment is a good one; in fact, I think it is vital to the success of any wilderness bill.

The theory and practice of American constitutional government has been that Congress shall pass measures and the Executive shall have the veto power, with Congress retaining the power to override such a veto by a two-thirds vote. Under the pending bill, as reported by the committee, this process would be reversed, because the Executive would make the recommendations, leaving to Congress the power to veto.

The process established by the committee bill is not in accordance with the usual congressional procedures, but follows the outline set up by the Reorganization Act of 1947, which relates to changes in the executive branch of the Government, not to methods of handling public lands owned by the Federal Government.

Those who claim that the amendment would harm the overall wilderness bill are in a sense indicting our traditional legislative process. In the past, Congress has acted, without any undue hardship, on many pieces of legislation similar to those which would be involved in the approval of future wilderness areas.

The present congressional procedures relative to natural resources development are the time-honored processes. At present, all such actions are taken by affirmative action. Congress must affirmatively act to include within the wilderness system all lands not now designated for specific uses; Congress must take affirmative action to create national parks from forest lands; and Congress must take specific action to authorize reclamation projects which are in the public lands system. I cannot understand why there is any justification for making a congressional procedure for wilderness areas the sole exception to the regular process of dealing with public lands.

The procedure established by the committee bill is based on the outline of the Reorganization Act of 1947. This act grew out of the Hoover report and was passed to give the President more of an opportunity to reorganize the Government according to what he felt was necessary. That is not the same as dealing with public lands. Here we are dealing with the fundamental responsibility over the assets of the United States. These assets belong to all the people.

When Congress delegated this present power to the Secretary of Agriculture, I believe it was negligent of its duties. I hope that today we will take back that power.

If the attention of the whole Congress were focused on each individual area proposed for wilderness by holding congressional hearings, there would be much more assurance that this land would be properly classified for its highest use. I understand that the bill calls for congressional hearings, but only if resolutions have been submitted to disapprove the President's recommendations. If no such resolutions are submitted, no hearings will be held, and the President's recommendations will become law.

The dedication of any area to a single use, whatever the purpose, is premature until it is justified by thorough study. Congressional hearings would certainly afford an opportunity for more of such study. Who knows, at this time, what hidden mineral wealth, for instance, might be found under these lands? Fifty years ago, not only was the need for uranium and its use unknown, but the actual metal itself existed in obscurity. Who is to say what unknown metal will be vital to the survival of this country in future years? How can such ores be found in wilderness areas if such areas cannot be prospected by modern methods?

S. 4 would permanently set aside for exclusive and extremely limited wilderness use some 3 million acres of public lands in Idaho. Much of this acreage has never been objectively evaluated for multiple-use potential. Its mineral potential is virtually unknown. Some of it has not even been surveyed.

I urge the the Senate to approve the amendment, because I believe it is vital to the bill. I believe we should have a wilderness system to preserve some primeval areas of our country. I believe that to do this we must pass a wilderness bill. But I am not willing to vote for a wilderness bill which does not protect the people of the country from the precipitate actions of the Secretary of Agriculture and the Secretary of the Interior. I want a wilderness bill which will restore to us the traditional congressional review and controls which were set aside by earlier congressional action.

I urge Senators to support the amendment offered by the senior Senator from Colorado [Mr. ALLOTT], by myself, and by other Senators.

Mr. DOMINICK. I thank the Senator from Idaho for what I believe is a pertinent and statesmanlike presentation concerning this problem. Does the Senator agree that in this amendment we are dealing with an extraordinarily important concept?

Mr. JORDAN of Idaho. Indeed, I do.

Mr. HRUSKA. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. Mr. President, I yield 5 minutes to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, I rise in support of the Allott amendment proposed by the senior Senator from Colorado and cosponsored by 14 other Senators which would require the Congress to act affirmatively upon any recommendations made by the President relating to the inclusion of additional wilderness areas. This amendment merely provides that the Congress shall rightfully perform the duties with which it is charged under the Constitution.

Each of us must take his responsibilities most seriously in performance of his legislative duties. We have been sent here by the people of our individual States to carry on the public business.

I, for one, consider the provision of article IV, section 3, clause 2, of the Constitution overwhelming importance in the consideration of the legal question involved in the situation at hand. That provision grants to the Congress the right and the power to dispose of and make regulations with regard to the public lands belonging to the United States. It does not confer any powers upon the executive branch of the Government or officials representing departments and agencies of the executive.

It is our function to make the laws of this country. The Congress of the

United States should have affirmative control over the manner in which the public lands are administered and developed. The Congress should not delegate such authority to agencies of the Government which are not directly responsible to the will of the people as expressed by their elected representatives.

Under the provisions of the bill, as recommended by the committee, Congress would retain only a small measure of control. If the Congress did not approve of the President's recommendations, it could take action indicating its displeasure. This, of course, is a negative approach to the problem, and does not in any way keep the control of the public lands of the United States where it properly belongs—in the hands of the Congress.

In connection with the bill before us, no sound reason for the abdication of our legislative responsibilities in this area is presented. All too often, we have permitted the departments and the other executive agencies to make legislative regulations or to take other actions which constitute legal action having the full force and effect of legislative enactments by the Congress. We are constantly diminishing the effective control and force of the Congress in those areas. Once such powers have been given, it is rare that they are ever again recaptured by the Congress.

In a search for precedent, we can look to the case of Newhall against Sanger, decided by the Supreme Court of the United States in 1875. The Court held that "the Government holds public lands in trust for the people, to be disposed of so as to promote the settlement and ultimate prosperity of the States in which they are situated."

Thus, we see that Congress is the trustee, and that it is the obligation and the duty of Congress to determine the use of our public lands in such ways that the greatest benefits from those lands accrue to the maximum number of our citizens.

There is no sound, acceptable reason why we should enact legislation which will delegate our obligation to the executive agencies, under a provision which severely limits the amount of control which Congress can exercise. The committee bill would shift the responsibility to such an extent that we could not then properly retain our responsibilities and would function as trustees for the citizens in developing the public lands. I, for one, cannot agree to abdicate this congressional responsibility, which rests upon us under the Constitution.

The voice of the public can always be heard in Congress. I am not satisfied that the voice of the public will be adequately or satisfactorily heard by executive officials. I do not believe that we can say today what will be the most effective use of the public lands for any appreciable time in the future.

I do not believe that executive officials can better predict such future uses. They are in a less favorable position to protect the interests of our citizens in the use of the public lands. Elected officials are closer to the people, and are responsible, and responsive to them.

This Nation became great during the period of westward expansion. The West is still being opened. We may yet find much in the way of new products and new uses for our natural resources, including our timber, our mines, our water, and our power. Many great industries have been built upon the idea of the multiple-use concept of public land. These industries have contributed to a greater gross national product and to a higher standard of living for our country.

I favor the wilderness use of the public lands, but I think that it is only one type of use to which these lands may be put. This use should be balanced with other uses. We can foresee the day when we shall need to make use of untapped natural resources for our expanding population and for its civilian and industrial needs.

It is my opinion that Members of Congress must ever be alert to exercise properly their legislative responsibilities. Unless we are willing to face up to those responsibilities, Congress will come into a period of decline in its proper functions and into disrepute with the public.

In that connection, Mr. President, I may say that in books, in magazine articles, and by commentators generally, there is currently being expressed considerable criticism of the Congress for functioning under outmoded rules and procedures. Certainly those critics who are Members of the Congress should support this amendment, because it will enable the Congress to retain the powers delegated to it under the Constitution. Even if there are outmoded procedures in the Congress, the solution should not be the derogation or the limitation of those powers. In that event, the powers rightfully belonging to Congress would be exercised by others.

So, Mr. President, let us retain and exercise our powers, as envisioned in and granted under the Constitution. Let us not surrender them.

It is my sincere hope that the amendment offered by the Senator from Colorado will be adopted. The control which it seeks to achieve by affirmative action by Congress is necessary and essential to the proper carrying out of congressional responsibilities. The amendment seeks to prevent a clear and repugnant abdication of congressional responsibility.

I am grateful to the Senator from Colorado for allowing this much time to me.

Mr. President, I wish to pay tribute to the junior Senator from Colorado for his lucid and straightforward presentations during debate on this bill. The sad event of the death of Senator ALLOTT's mother made it impossible for him to be here for today's discussion of a measure in which he has an abiding interest and concern.

Senator DOMINICK has been a splendid advocate for his colleague. His sharp, analytical approach has been of great help to all of us here in the chamber. I heartily commend him for an outstanding presentation and suggest that the Senate is indeed fortunate to have men of his ability among its membership.

Mr. DOMINICK. Mr. President, I sincerely thank the Senator from Nebraska for the very, very fine statement he has made. If I may say so, it bears out the recognition dinner which was given him a few days ago in Nebraska, which I had the honor to attend.

Mr. HRUSKA. Mr. President, I am grateful for the attendance there of the Senator from Colorado.

Mr. DOMINICK. Mr. President, I would say to the Senator from Nebraska that in the hearings before our committee there was specific testimony by Mr. Cline, who is a lawyer and is chairman of the Federal Legislative Committee of the Rocky Mountain Oil and Gas Association. On pages 48 and 49 of the hearing record we find that, after quoting clause 2 of section 3, of the Constitution—the part of the Constitution which grants to Congress the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, he said:

> What attitude should Congress have in exercising this power? The Supreme Court as early as 1875 in the case of *Newhall* v. *Sanger* held:
>
> "The Government holds public land, in trust for the people, to be disposed of so as to promote the settlement and ultimate prosperity of the States in which they are situated."
>
> In my filed statement there are further cases cited. Thus, under the Constitution, Congress acts as trustee in determining the use of public lands for the greatest benefit of maximum number. This means that the best management of public lands should be determined affirmatively by Congress giving due regard to whatever use or combination of uses offers the greatest good to the greatest number.
>
> Accordingly, we believe that Congress should retain its full authority in order to fulfill its responsibilities as trustee of the public domain. In doing so, it should require the various governmental agencies supporting particular uses to prove which use or uses which will result in the greatest benefit to the maximum number. Such use should not be determined in a proceeding before an executive agency in which the stated presumption is that exclusive wilderness use is the highest use. The justification for any proposed use should be shown to Congress for its decision.

Mr. President, it seems to me this is the basic principle with which we are faced in connection with the amendment. It is the basic principle which is before us in connection with so many other legislative propositions. In all the cases of which I have awareness—including, as I have said, our action on national parks; our additions to the wilderness system, as proposed in this bill; our action on reclamation projects; and our action in regard to almost any phase of the disposition of the public lands—that action has been through affirmative acts of Congress.

Therefore, I cannot see either the justification or the need for shifting these around, so that the Executive will initiate and the Congress will veto. Certainly that would be a far cry from the

stem under which our Government was eated.

Mr. President, I reserve the remainder the time under my control.

Mr. CHURCH. Mr. President, I have stened with interest to the arguments at have been presented on behalf of is amendment. I must say that I fail comprehend them; for either the committee thoroughly misunderstands the esent status of the law, or, I respectfully suggest, those who support the nendment misunderstand it. The guments have been varied, but they ave all related to one theme. The junior enator from Colorado has said that the rinciple behind his amendment is hether Congress should retain control ver the public lands. Other arguments ave been advanced to the effect that he bill would not protect the people gainst precipitate actions by the Secetary of Agriculture. The distinguished enator from Nebraska has even ventured that the bill represents some kind f abdication of congressional responsibility.

Such arguments are utterly incomprehensible to me.

I remind Senators that the amendment deals with primitive areas in the national forests. That is the question at issue. The present law delegates to the Secretary of Agriculture all the authority to create these primitive areas, to determine their boundaries, to add new areas, and to expand existing areas. If there ever was any abdication of congressional responsibility, it occurred years ago when all that power was removed from the Congress and placed in the executive agencies downtown.

The people of Idaho need not be reminded of the facts, for in this year alone the Secretary of Agriculture has established a wilderness area in our State—the Selway-Bitterroot area—which contains more than 1 million acres of public land.

He proposes to establish another wilderness area in the Sawtooth Mountains that will comprise approximately 200,000 acres of land. Does it require any congressional surveillance for him to do that? Is there any requirement in the law that his recommendation must first come to Congress for any kind of review, let alone approval? It does not. He now has the authority to set aside these enormous areas, and to designate them as wilderness, merely by the stroke of his pen.

So, Mr. President, what sense does it make to indict the bill as some kind of abdication of congressional responsibility when years ago all the authority was transferred to the executive agencies?

If we are really interested in restoring congressional responsibility, if we are really interested in talking sense about this bill, I suggest that one of the most powerful arguments that can be made for the measure is that it undertakes to restore to the Congress authority which we long ago delegated away.

What would the bill do? In the first place, it would provide, with respect to the areas that are presently being administered as wilderness—wilderness areas, canoe areas, wild areas, and primitive areas—that they shall comprise the wilderness system.

As for the primitive areas, there will be a review over the next 10 years to determine what portions of the primitive areas will remain in the system. But, as regards any new addition, in years to come, to the wilderness system, the bill specifically provides that not a single new acre may be added to the system without an affirmative act of Congress. This provision completely restores the congressional prerogative with respect to any future additions to the wilderness system.

As to the primitive areas that for 20 years have been administered as wilderness, are now being administered as wilderness, and are made a part of the system subject to review, a veto is provided, so that any Presidential recommendation for permanently including any one of such primitive areas, or any portion of it, in the wilderness system, is subject to the veto of either House of Congress.

The committee has included this kind of provision for a reason. We know that the provisions of the Reorganization Act guarantee that any Member of this body, or the other body, who may object to a given Presidential recommendation, will have an opportunity, if the procedures in the bill are adopted, to bring his objection to a vote in the Senate or the House, as the case may be. The provisions of the Reorganization Act assure each Member of an opportunity to bring his objection to the floor and to have it acted upon.

Is there any Senator at all acquainted with the procedures of Congress who for one minute believes that if this amendment were agreed to, we would not then have the risk of having resolutions for approving Presidential recommendations bottled up in committee so that they would never reach the floor for a vote?

Those who desire to reestablish really effective congressional control are for the provisions of the bill. Adoption of the amendment would water down the restoration of congressional control, for, in many cases, resolutions would be bottled up and never get to the floor.

We strongly urge that the amendment be rejected upon the ground, first, that the most effective way to restore congressional control with respect to those areas that are to be reviewed is through the adoption of the veto procedure.

In that connection, I ask unanimous consent to have a report printed at this point in the RECORD. The report lists the provisions of Federal law relating to programs or activities which become effective if not disapproved or rejected by Congress within a prescribed time. I make the request in order to make it absolutely clear that the procedures of the bill are not novel, that they are well known to the Congress, and that they are in accordance with well-established practices in the Congress.

Mr. DOMINICK. Mr. President, I should like to ask the Senator from Idaho whether he knows that any of these deal with any public lands proposals.

Mr. CHURCH. The reports that I now ask to have printed appear in the hearings beginning on page 172. I believe the Senator will find, in the transcript of the hearings, exactly what it is I should like to include in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

PROVISIONS OF FEDERAL LAW RELATING TO PROGRAMS OR ACTIVITIES WHICH BECAME EFFECTIVE IF NOT DISAPPROVED OR REJECTED BY CONGRESS WITHIN A PRESCRIBED TIME

(NOTE.—The following list does not purport to give every such provision, but is, in general, representative of those appearing in the Federal statutes.)

Year 1943. Act of July 7, as amended (44 U.S.C. §§ 369–372): The Administrator of General Services is required to submit to Congress lists and schedules of Government records said to be lacking in preservation value, for examination by a joint congressional committee. If the committee fails to report on any list within 10 days prior to adjournment of the session, the Administrator may empower the agency having custody of such records to dispose of them in accordance with prescribed regulations.

Year 1945. Reorganization Act of December 20 (59 Stat. 616 § 6; not in code): Reorganization plans submitted by the President to Congress were to take effect at the expiration of 60 days of continuous session after submission, unless a concurrent resolution was passed stating that Congress did not favor the plan. (This act has been superseded by the Reorganization Act of 1949.)

Year 1946. Act of August 7 (60 Stat. 898, sec. 6; not in Code): The Secretary of the Navy is required to transmit to Congress proposals to dispose of obsolete naval vessels, and if Congress, after 60 days of continuous session, does not express its disapproval, the transfer of the vessels shall take effect.

The Secretary is also authorized to dispose of captured or condemned ordnance, etc., if Congress after being informed of the proposed disposal fails to disapprove within 30 days.

Year 1947. Act of December 30 (50 App. U.S.C., sec. 1917): Programs for production of foods in non-European foreign countries which are to be carried out by the Commodity Credit Corporation must be submitted to Congress and if not disapproved by concurrent resolution within 60 days, may become effective.

Year 1948. Act of June 25, as amended (28 U.S.C., secs. 2072, 2073, 2074): Rules of civil procedure for district courts, admiralty rules for district courts, and rules for review of decisions of the Tax Court prescribed by the Supreme Court of the United States shall not take effect until the expiration of 90 days after they have been reported to Congress.

Year 1949. Reorganization Act of June 20, as amended (5 U.S.C., sec. 133a–4): Reorganization plans submitted by the President to Congress shall take effect upon the expiration of 60 days of continuous session, after date submitted, unless either House passes a resolution stating its disfavor of the plan.

Year 1956. Small Reclamation Projects Act of August 6, as amended (43 U.S.C., sec. 422 (d)): No appropriation shall be made for financial assistance in the development of reclamation projects, prior to 60 days from the date the Secretary of the Interior submitted the proposed project to Congress, and then only if within the 60 days neither the House nor the Senate Interior and Insular Affairs Committee disapproves the proposed project.

Year 1958. Department of Defense Reorganization Act of August 6, (5 U.S.C., sec. 171a(c)): In order to provide for a more efficient administration of the Department, the Secretary of Defense is authorized to take appropriate steps to provide for the transfer,

abolition, or consolidation of functions. However, no function shall be substantially affected until 30 days after the proposed action has been reported to the Armed Services Committees of the Senate and the House of Representatives. If during such 30-day period either committee reports a resolution stating that the proposed action should be rejected, it shall not become effective until 40 days from the date of the resolution, and then only if such resolution has not been passed by the House to which it has been reported.

Year 1959. Act of June 25, as amended (10 U.S.C. § 2662): The Secretary of a military department may not enter into transactions relating to the acquisition, use, or disposal of real property until after the expiration of 30 days from the date upon which a report of the proposed transaction is submitted to the Committees on Armed Services of the Senate and House of Representatives.

Year 1960. Act of June 3 (75 Stat. 157 § 2; not in Code): Act authorizing construction of the San Luis unit of the Central Valley project in California provides that the Secretary of the Interior shall report to Congress upon agreements entered into, and he shall not commence construction thereon for 90 days from the date of his report.

Year 1960. River and Harbor Act of July 14 (74 Stat. 480–503): Under this Act a 60-day period is required to lapse after submission of reports to Congress, before work can be started (if within the period Congress does not disapprove) on such projects as—

(a) Modification of Pascagoula Harbor, Miss. (p. 481);

(b) Construction of sea-wall to protect against tidal waves, etc., Hilo Harbor, How. (p. 483);

(c) Improvement of Missouri River between Sioux City and the Mouth (p. 485);

(d) Construction of flood protection project in Gering and Mitchell Valleys, Nebraska (p. 495); and

(e) Project for flood protection at Sioux Falls, S. D. (p. 495).

Year 1961. Arms Control and Disarmament Act of September 26 (Public Law 87–297 § 47 (b)): Proposals to transfer certain activities or facilities of a Government agency to the United States Arms Control and Disarmament Agency must be submitted by the President to Congress; and if, within the first period of 60 calendar days of regular session following receipt by Congress, neither House has adopted a resolution opposing it, the transfer will be made.

Mr. CHURCH. Mr. President, I ask unanimous consent also to have printed in the RECORD at this point a tabulation of the disposition of reorganization plans under the Reorganization Act of 1949. I do so to show how the veto procedure has been utilized in the past by the Congress.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Disposition of reorganization plans under Reorganization Act of 1949

	Approved	Rejected
1949	6	2
1950	20	7
1951	1	0
1952	2	3
1953	10	----
1954	2	----
1955	0	0
1956	0	2
1957	1	0
1958	1	0
1959	0	1
Total	43	15

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., May 24, 1961.

To Senate Committee on Interior and Insular Affairs.

From: American Law Division.

Subject: Sundry questions concerning the Reorganization Act of 1949.

(Attention of Mr. Stong.)

I. Which plans have become effective?

A. Reorganization Plans of 1949:

1. No. 2, Labor Department, 14 F.R. 5225, 63. Stat. 1065.

2. No. 3, Post Office Department, 14 F.R. 5225, 63 Stat. 1066.

3. No. 4, Executive Office of the President, 14 F.R. 5227, 63 Stat. 1067.

4. No. 5, Civil Service Commission, 14 F.R. 5227, 63 Stat. 1067.

5. No. 6, Maritime Commission, United States, 14 F.R. 5228, 63 Stat. 1069.

6. No. 7, Public Roads Administration, 14 F.R. 5228, 63 Stat. 1070.

B. Reorganization Plans of 1950:

1. No. 2, Justice Department, 15 F.R. 3173, 64 Stat. 1261.

2. No. 3, Interior Department, 15 F.R. 3174, 64 Stat. 1262.

3. No. 5, Commerce Department, 15 F.R. 3174, 64 Stat. 1263.

4. No. 6, Labor Department, 15 F.R. 3174, 64 Stat. 1263.

5. No. 8, Federal Trade Commission, 15 F.R. 3175, 64 Stat. 1264.

6. No. 9, Federal Power Commission, 15 F.R. 3175, 64 Stat. 1265.

7. No. 10, Securities and Exchange Commission, 15 F.R. 3175, 64 Stat. 1265.

8. No. 13, Civil Aeronautics Board, 15 F.R. 3176, 64 Stat. 1266.

9. No. 14, Labor Standards Enforcement, 15 F.R. 3176, 64 Stat. 1267.

10. No. 15, Alaska and Virgin Islands Public Works, 15 F.R. 3176, 64 Stat. 1267.

11. No. 16, Certain education and health functions, 15 F.R. 3176, 64 Stat. 1268.

12. No. 17, Public works advance planning and other functions, 15 F.R. 3177, 64 Stat. 1269.

13. No. 18, Building and space management functions, 15 F.R. 3177, 64 Stat. 1270.

14. No. 19, Employees' Compensation functions, 15 F.R. 3178, 64 Stat. 1271.

15. No. 20, Statutes at Large and other matters, 15 F.R. 3178, 64 Stat. 1272.

16. No. 21, Maritime Administration and Federal Maritime Board, 15 F.R. 3178, 64 Stat. 1273.

17. No. 22, Federal National Mortgage Association, 15 F.R. 4365, 64 Stat. 1277.

18. No. 23, Loans for factory built houses, 15 F.R. 4365, 64 Stat. 1279.

19. No. 25, National Security Resources Board, 15 F.R. 4565, 64 Stat. 1280.

20. No. 26, Treasury Department, 15 F.R. 4935, 64 Stat. 1280.

C. Reorganization Plans of 1951:

1. No. 1, Reconstruction Finance Organization, 16 F.R. 3690, 65 Stat. 773.

D. Reorganization Plans of 1952:

1. No. 1, Internal Revenue Bureau, 17 F.R. 2243, 66 Stat. 823.

2. No. 5, Government of District of Columbia, 63 Stat. 203.

E. Reorganization Plans of 1953:

1. No. 1, Health, Education, and Welfare Department, 18 F.R. 2053, 67 Stat. 631.

2. No. 2, Agriculture Department, 18 F.R. 3219, 67 Stat. 633.[1]

3. No. 3, Office of Defense Mobilization, 18 F.R. 3375, 67 Stat. 634.

4. No. 4, Justice Department, 18 F.R. 3577, 67 Stat. 636.

5. No. 5, Export-Import Bank of Washington, 18 F.R. 3741, 67 Stat. 637.

6. No. 6, Defense Department, 18 F.R. 3743, 67 Stat. 638.

7. No. 7, Foreign Operations Administration, 18 F.R. 4541, 67 Stat. 639.

8. No. 8, United States Information Agency, 18 F.R. 4542, 67 Stat. 642.

9. No. 9, Council of Economic Advisers, 18 F.R. 4543, 67 Stat. 644.

10. No. 10, Air Carriers, payments to, 18 F.R. 4543, 67 Stat. 644 (Repealed by Public Law 85–726, title XIV, sec. 1401(c), August 23, 1958, 72 Stat. 806).

F. Reorganization Plans of 1954:

1. No. 1, Foreign Claims Settlement Commission, 19 F.R. 3985, 68 Stat. 1279.

2. No. 2, Reconstruction Finance Corporation, liquidation of certain affairs of, 19 F.R. 3986, 68 Stat. 1280.

G. Reorganization Plans of 1955: none.

H. Reorganization Plans of 1956: none.

I. Reorganization Plans of 1957:

1. No. 1, Abolition of the Reconstruction Finance Corporation, 22 F. R. 4633, 71 Stat. 647.

J. Reorganization Plans of 1958:

1. No., Civilian Mobilization, 23 F. R. 4991, 72 Stat. 1797.

K. Reorganization Plans of 1959: none.

(5 U.S.C. § 133z–3. (b) No provision contained in a reorganization plan shall take effect unless the plan is transmitted to the Congress before June 1, 1961. (June 20, 1949, ch. 226, title I, § 5, 63 Stat. 205; Feb. 11, 1953, ch. 3, 67 Stat. 4; Mar. 25, 1955, ch. 16, 69 Stat. 14; Sept. 4, 1957, Pub. L. 85–286, § 1, 71 Stat. 611).

(See Public Law 87–18, April 17, 1961).

II. Which plans were rejected by the Congress?

(5 U.S.C. § 133z–4. (a) Except as may be otherwise provided pursuant to subsection (c) of this section, the provisions of the reorganization plan shall take effect upon the expiration of the first period of sixty calendar days of continuous session of the Congress, following the date on which the plan is transmitted to it; but only if, between the date of transmittal and the expiration of such sixty-day period there has not been passed by either of the two Houses a resolution stating in substance that that House does not favor the reorganization plan).

A. Reorganization Plans of 1949:

1. No. 1, Department of Welfare (S. Res. 147—Disapproving Reorganization Plan No. 1 of 1949.)

Introduced by Mr. Fulbright, Mr. Taft, and Mr. Hunt; referred to the Committee on Expenditures in the Executive Departments (CONGESSIONAL RECORD, volume 95, part 8, page 10399).

Reported back (S. Rept. 851) (CONGRESSIONAL RECORD, volume 95, part 8, page 10936).

Minority views (S. Rept. 851, pt. 2) (CONGRESSIONAL RECORD, volume 95, part 8, page 11023).

Remarks on (CONGRESSIONAL RECORD, volume 95, part 8, page 11098).

Individual views (S. Rept. 851, pt. 3) (CONGRESSIONAL RECORD, volume 95, part 8, page 11237).

Debated (CONGRESSIONAL RECORD, volume 95, part 9, page 11520).

Passed Senate (CONGRESSIONAL RECORD, volume 95, part 9, page 11561).

2. No. 8, Department of Defense (H.R. 5632 passed in lieu of (CONGRESSIONAL RECORD, volume 95, part 8, page 11288 et seq.).

B. Reorganization Plans of 1950:

1. No. 1, Comptroller of the Currency.

(S. Res. 246—Disapproving Reorganization Plan No. 1 of 1950.

Introduced by Mr. Robertson; referred to the Committee on Expenditures in the Executive Departments (CONGRESSIONAL RECORD, volume 96, part 4, page 4446).

Reported back (S. Rept. 1518) (CONGRESSIONAL RECORD, volume 96, part 5, page 5675).

Debated and passed Senate (CONGRESSIONAL RECORD, volume 96, part 5, page 6891).

2. No. 4, Department of Agriculture.

(S. Res. 263—Disapproving Reorganization Plan No. 4 of 1950.

[1] Fountain motion to discharge No. 2 was rejected June 3, 1953, by the House 128 to 261, with 41 not voting.

troduced by Mr. Holland, Mr. Schoeppel, Johnston of South Carolina, and Mr. referred to the Committee on Exures in the Executive Departments ESSIONAL RECORD, volume 96, part 4, 560).

orted back (H. Rept. 1566) with mi- views (CONGRESSIONAL RECORD, volume t 5, page 7065).

ated and passed Senate (CONGRESSIONAL D, volume 96, part 6, page 7225).

o. 7, Interstate Commerce Commission es. 253—Disapproving Reorganization lo. 7 of 1950).

oduced by Mr. JOHNSON of Colorado; ed to the Committee on Expenditures e Executive Departments (CONGRES- RECORD, volume 96, part 4, page 5058).

orted back (H. Rept. 1567) with mi- views (CONGRESSIONAL RECORD, volume rt 5, page 7065).

ated and passed Senate (CONGRESSIONAL D, volume 96, part 6, page 7154).

No. 11, Federal Communications Com- on (S. Res. 256—Disapproving Reorgani- n Plan No. 11 of 1950).

roduced by Mr. JOHNSON of Colorado; red to the Committee on Expenditures he Executive Departments (CONGRES- L RECORD, volume 96, part 4, page 5058).

ported adversely (H. Rept. 1564) (CON- IONAL RECORD, volume 96, part 5, page 765).

assed Senate (CONGRESSIONAL RECORD, vol- e 96, part 6, page 7173).

No. 12, National Labor Relations Board Res. 248—Disapproving Reorganization No. 12 of 1950).

troduced by Mr. TAFT; referred to the mittee on Expenditures in the Executive rtments (CONGRESSIONAL RECORD, vol- 96, part 4, page 4575).

eported back (S. Rept. 1516) (CONGRES- AL RECORD, volume 96, part 4, page 5560).

ebated (CONGRESSIONAL RECORD, volume part 4, page 5560; part 5, pages 6792, 6862, 6).

assed Senate (CONGRESSIONAL RECORD, vol- e 96, part 5, page 6886).

No. 24, Reconstruction Finance Corpora- (S. Res. 290—Disapproving Reorganiza- Plan No. 24 of 1950).

troduced by Mr. FULBRIGHT, referred to Committee on Expenditures in the Ex- tive Departments (CONGRESSIONAL RECORD, ume 96, part 6, page 7884).

eported without recommendation (S. t. 1868) (CONGRESSIONAL RECORD, volume part 7, page 9147).

ebated (CONGRESSIONAL RECORD, volume part 7, pages 9673, 9680, 9682, 9683, 9688).

assed Senate (CONGRESSIONAL RECORD, vol- e 96, part 7, page 9694).

. No. 27, Department of Health, Educa- n, and Security.

H. Res. 647—Disapproving Reorganization an No. 27 of 1950.)

Introduced by Mr. Hoffman, of Michigan; referred to the Committee on Expenditures the Executive Departments (CONGRES- NAL RECORD, volume 96, part 6, page 8568).

Reported back (H. Rept. 2320) (CONGRES- NAL RECORD, volume 96, part 7, page 9223).

Passed House (CONGRESSIONAL RECORD, vol- ne 96, part 7, page 9843).

C. 1951—None.

D. Reorganization Plans of 1952:

1. No. 2, Post Office Department. (S. Res. 7—Disapproving Reorganization Plan No. 2 1952.)

Introduced by Mr. Johnston of South Carolina, Mr. McKellar, Mr. Neely, Mr. Langer, and Mr. Carlson; referred to the Committee on Government Operations (CONGRESSIONAL RECORD, volume 98, part 4, page 5140).

Reported back (S. Rept. 1747) (CONGRESSIONAL RECORD, volume 98, part 6, page 7128).

Minority views debated (S. Rept. 1747, pt. 2) (CONGRESSIONAL RECORD, volume 98, part 6, pages 7452, 7468).

Passed Senate (CONGRESSIONAL RECORD, volume 98, part 6, page 7495).

2. No. 3, Bureau of Customs. (S. Res. 331—Disapproving Reorganization Plan No. 3, of 1952.)

Introduced by Mr. George; referred to the Committee on Government Operations (CONGRESSIONAL RECORD, volume 98, part 5, page 6582).

Reported back (S. Rept. 1748) (CONGRESSIONAL RECORD, volume 98, part 6, page 7128).

Passed Senate (CONGRESSIONAL RECORD, volume 98, part 6, page 7508).

3. No. 4, Department of Justice. (S. Res. 330—Disapproving Reorganization Plan No. 4 transmitted to Congress by the President on April 10, 1952.)

Introduced by Mr. McCarran; referred to the Committee on Government Operations (CONGRESSIONAL RECORD, volume 98, part 5, page 6497).

Reported back (S. Rept. 1749) (CONGRESSIONAL RECORD, volume 98, part 6, page 7452).

Minority views (S. Rept. 1749, pt. 2) (CONGRESSIONAL RECORD, volume 98, part 6, page 7452).

Passed Senate (CONGRESSIONAL RECORD, volume 98, part 6, page 7495).

G. Reorganization Plans of 1955: none.

H. Reorganization Plans of 1956:

1. No. 1, Research and development programs, Department of Defense (H. Res. 534—Disapproving Reorganization Plan No. 1 transmitted to Congress by the President on May 16, 1956).

Introduced by Mr. Vinson; referred to the Committee on Government Operations (CONGRESSIONAL RECORD, volume 102, part 7, page 10076).

Reported (H. Rept. 2585) (CONGRESSIONAL RECORD, volume 102, part 9, page 11787).

Passed House (CONGRESSIONAL RECORD, volume 102, part 9, page 11886).

2. No. 2, Federal Savings and Loan Insurance Corporation (H. Res. 541—Disapproving Reorganization Plan No. 2 transmitted to Congress by the President on May 17, 1956).

Introduced by Mr. Fascell; referred to the Committee on Government Operations (CONGRESSIONAL RECORD, volume 102, part 8, page 10427).

Reported (H. Rept. 2599) (CONGRESSIONAL RECORD, volume 102, part 9, page 11788).

Passed House (CONGRESSIONAL RECORD, volume 102, part 9, page 11886).

I. Reorganization Plans of 1957: none.

J. Reorganization Plans of 1958: none.

K. Reorganization Plans of 1959:

1. No. 1, Transfer of certain functions to the Secretary of Agriculture (H. Res. 295—To disapprove Reorganization Plan No. 1 of 1959)

Introduced by Mr. Smith of Iowa; referred to the Committee on Government Operations (CONGRESSIONAL RECORD, volume 105, part 8, page 10583).

Reported (H. Rept. 586) (CONGRESSIONAL RECORD, volume 105, part 9, page 11990).

Debated (CONGRESSIONAL RECORD, volume 105, part 10, page 12740).

Passed House (CONGRESSIONAL RECORD, volume 105, part 10, page 12856).

III. Was the discharge procedure set out in 5 United States Code 133z–13 ever invoked?

Congressman FOUNTAIN moved to discharge plan No. 2 of 1953 and was defeated 128 to 261 on June 3, 1953.

IV. Examples of legislative veto.

(5 U.S.C. 133z–4). Effective date of reorganization specified in plan.

(a) Except as may be otherwise provided pursuant to subsection (c) of this section, the provisions of the reorganization plan shall take effect upon the expiration of the first period of 60 calendar days of continuous session of the Congress, following the date on which the plan is transmitted to it; but only if, between the date of transmittal and the expiration of such 60-day period there has not been passed by either of the two Houses a resolution stating in substance that the House does not favor the reorganization plan.

Veto: (42 U.S.C. 2153).—Cooperation with other nations. No cooperation with any nation or regional defense organization pursuant to sections 2074 (foreign distribution of special nuclear material; compensation; distribution to agency), 2077 (unauthorized dealings in special nuclear material), 2094 (foreign distribution of source material), 2112 (foreign distribution of byproduct material), 2121 (authority of Commission), 2133 (commercial licenses), 2134 (medical therapy, research, and development licenses; limitation), or 2164 (international cooperation) of this title shall be undertaken until—

(d) Submission to the Congress, the proposed agreement for cooperation, together with the approval and determination of the President, if arranged pursuant to sections 2121(c), 2164(b), or 2164(c) of this title, has been submitted to the Congress and referred to the Joint Committee and a period of 60 days has elapsed while Congress is in session, but any such proposed agreement for cooperation shall not become effective if during such 60-day period the Congress passes a concurrent resolution stating in substance that it does not favor the proposed agreement for cooperation.

(23 U.S.C. 104–(b)(5)). For the Interstate System for the fiscal years 1960 through 1969:

"In the ratio which the estimated cost of completing the Interstate System in each State, as determined and approved in the manner provided in this paragraph, bears to the sum of the estimated cost of completing the Interstate System in all of the States. Each apportionment herein authorized for the fiscal years 1960 through 1969, inclusive, shall be made on a date as far in advance of the beginning of the fiscal year for which authorized as practicable but in no case more than 18 months prior to the beginning of the fiscal year for which authorized. As soon as the standards provided for in subsection (b) of section 109 of this title have been adopted, the Secretary, in cooperation with the State highway departments, shall make a detailed estimate of the cost of completing the Interstate System as then designated, after taking into account all previous apportionments made under this section, based upon such standards and in accordance with rules and regulations adopted by him and applied uniformly to all of the States. The Secretary shall transmit such estimates to the Senate and the House of Representatives within 10 days subsequent to January 2, 1958. Upon approval of such estimate by the Congress by concurrent resolution, the Secretary shall use such approved estimate in making apportionments for the fiscal years ending June 30, 1960, June 30, 1961, and June 30, 1962. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within 10 days subsequent to January 2, 1962. Upon approval of such estimate by the Congress by concurrent resolution, the Secretary shall use such approved estimate in making apportionments for the fiscal years ending June 30, 1963, June 30, 1964, June 30, 1965, and June 30, 1966. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within 10 days subsequent to Jan-

uary 2, 1966, and annually thereafter through and including January 2, 1968. Upon approval of any such estimate by the Congress by concurrent resolution, the Secretary shall use such approved estimate in making apportionments for the fiscal year which begins next following the fiscal year in which such report is transmitted to the Senate and the House of Representatives. Whenever the Secretary, pursuant to this subsection, requests and receives estimates of cost from the State highway departments, he shall furnish copies of such estimates at the same time to the Senate and the House of Representatives. In making the estimates of cost for completing the Interstate System as provided in this paragraph, the cost of completing any mileage designated from the one thousand additional miles authorized by section 108(1) of the Federal-Aid Highway Act of 1956 shall be excluded."

Mr. CHURCH. Mr. President, I should like to add a few words, and then I shall yield to other Senators who, I know, are anxious to speak.

It has been argued on behalf of the amendment that if Congress wishes to authorize a new reclamation project, it must be done by affirmative vote; and that is so.

It has been argued that if Congress wishes to set up a new national park, that it must be done by affirmative vote; and that is so.

It has been argued that this is the normal way in which Congress exercises its power; and that is so.

I merely remind my colleagues that the same is the case in respect to the pending bill. If Congress should wish to establish any new wilderness area or add anything new to the system, it would have to be done by affirmative vote, for the bill so provides.

There really is no substance, I submit, to the arguments made on behalf of this amendment. The present provisions of the bill represent the most effective method for restoring to Congress surveillance over the primitive areas which are to be permanently included in the system, and also would provide us with a full restoration of congressional prerogatives with respect to any new additions to the system.

For these reasons I think the arguments submitted on behalf of the amendment are self-defeating, and I urge that the Senate reject it.

Mr. DOMINICK. Mr. President, I think a few comments should be made in reply to the presentation of the distinguished Senator from Idaho.

As I said at the beginning of my presentation, I recognize that the executive department would have less control over the public lands under the terms of the bill as now written than it has at the present minute. But we are being asked to take a major step. We are asked to create a new system. We are asked to take the public lands, as the right and prerogative of Congress, and to create something new. If we are to do that within this system, we should retain control of what elements will go into it. That is the crux of it.

I should like to point out to the distinguished Senator from Idaho that this deals not only with primitive lands, but also with the national parks and with the wildlife game refuges. For example, on page 6 of the bill it is stated:

There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, each portion of each park, monument, or other unit in the national park system which on the effective date of this Act embraces a continuous area of five thousand acres or more without roads.

So we are asked to legislatively set aside portions of this automatically, to include them provided the Secretary so recommends within the 10-year period for review, and provided certain veto powers are not exercised when the recommendation comes to the Congress.

The wildlife refuges are included in that same type of context. They would be included, and therefore they would be modified, and the national park system would be subject to review and recommendation by the Secretary, and we would not have a thing to say about whether the Secretary was correct or not except to veto whatever action he might take.

The difficulty involved in the bill, it seems to me, is that we are asked to reverse what we should be doing in connection with determining what portions of the park system, wildlife refuges, primitive lands, and other areas should remain as they are and what portions should go under the wilderness system. It does not seem to me that we could retain adequate control over this unless we agreed to the amendment, to give Congress the affirmative rights to determine which portion is to go into which system. This is the principle for which we are really fighting.

Mr. President, I reserve the remainder of my time.

Mr. CHURCH. Mr. President, I have only one further remark.

The Senator from Colorado persists in the use of the word "retain." I think the record is clear that what we are attempting to do is restore powers in the Congress which have been hitherto delegated away. The question is not one of retaining congressional power, but adoption of a method by which we shall recapture congressional power.

I wish to make one further observation with respect to the pending amendment. The real mischief of the amendment is that if it were adopted—requiring concurrent affirmative consent of both Houses of the Congress to approve a Presidential recommendation to permanently include a given primitive area in the wilderness system—there would be no guarantee that we could ever get such a resolution to a vote, and we would then face the danger of having no congressional action taken with respect to large primitive areas.

Now the bill provides that if no congressional action is taken within a 10-year period, subject to some extension—with a maximum of 14 years—the whole area then will go out of the wilderness system and will be returned to ordinary forest lands. So the danger of this amendment is that if it should be adopted, not only would it fail to achieve the most effective form of congressional surveillance, but it would present us with the hazard of losing large areas of the wilderness system which ought not to be lost, merely because of the failure to obtain affirmative action by the Congress.

This is why the committee insisted upon the veto procedure, in order to make certain that this kind of loss by default did not occur, in order to assure that an effective kind of congressional review and surveillance of the President's recommendations would take place.

If the Senator from Colorado is willing to do so, Mr. President, I am prepared to yield back the remainder of my time.

Mr. DOMINICK. Mr. President, how much time does the Senator from Colorado have remaining?

The PRESIDING OFFICER. The Senator from Colorado has 1 minute remaining.

Mr. DOMINICK. Mr. President, if I may, I shall use that 1 minute. I do not wish to have the record show or imply that I am trying to do something which would jeopardize the wilderness system or which would say that pertinent portions of other properties should not be put into a wilderness system, out of the parks or wildlife refuges. But I should like to have the right to look at them and to make up my own mind and to decide after hearings whether the recommendation is right or wrong. I think every other Member of the Senate would wish to do the same. This is why I think the amendment is so important.

Mr. President, I yield back the remainder of my time.

Mr. CHURCH. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to amendment No. 32. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARTLETT (when his name was called). On this vote I have a pair with the Senator from Missouri [Mr. LONG]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

Mr. ANDERSON (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Colorado [Mr. ALLOTT]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

Mr. METCALF (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Nevada [Mr. CANNON]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

Mr. MANSFIELD (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Wyoming [Mr. SIMPSON]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withdraw my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Oregon [Mr. MORSE], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

On this vote, the Senator from Oregon [Mr. MORSE] is paired with the Senator from Kentucky [Mr. COOPER]. If present and voting, the Senator from Oregon would vote "nay," and the Senator from Kentucky would vote "yea."

On this vote, the Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from Utah would vote "yea."

On this vote, the Senator from Oklahoma [Mr. EDMONDSON] is paired with the Senator from Ohio [Mr. LAUSCHE]. If present and voting, the Senator from Oklahoma would vote "yea," and the Senator from Ohio would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent because of the death of his mother.

The Senator from Utah [Mr. BENNETT] and the Senator from Wyoming [Mr. SIMPSON] are absent on official business.

The Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. CURTIS], and the Senator from New York [Mr. JAVITS] are necessarily absent.

The respective pairs of the Senator from Colorado [Mr. ALLOTT] and that of the Senator from Wyoming [Mr. SIMPSON] have been previously announced.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Alabama would vote "nay."

On this vote, the Senator from Kentucky [Mr. COOPER] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Oregon would vote "nay."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from New York [Mr. JAVITS]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from New York would vote "nay."

The result was announced—yeas 35, nays 49, as follows:

[No. 43 Leg.]

YEAS—35

Beall	Fulbright	Randolph
Bible	Goldwater	Russell
Boggs	Hayden	Saltonstall
Byrd, Va.	Hruska	Scott
Byrd, W. Va.	Jordan, Idaho	Smith
Carlson	Long, La.	Stennis
Cotton	Mechem	Talmadge
Dirksen	Monroney	Thurmond
Dodd	Morton	Tower
Dominick	Mundt	Williams, Del.
Eastland	Pearson	Young, N. Dak.
Fong	Prouty	

NAYS—49

Aiken	Church	Ervin
Bayh	Clark	Gore
Brewster	Douglas	Gruening
Burdick	Ellender	Hart
Case	Engle	Hartke
Hickenlooper	Magnuson	Pastore
Hill	McCarthy	Pell
Holland	McClellan	Proxmire
Humphrey	McGee	Ribicoff
Inouye	McGovern	Robertson
Jackson	McIntyre	Smathers
Johnston	McNamara	Symington
Jordan, N.C.	Miller	Williams, N.J.
Keating	Moss	Yarborough
Kefauver	Muskie	Young, Ohio
Kennedy	Nelson	
Kuchel	Neuberger	

NOT VOTING—16

Allott	Curtis	Metcalf
Anderson	Edmondson	Morse
Bartlett	Javits	Simpson
Bennett	Lausche	Sparkman
Cannon	Long, Mo.	
Cooper	Mansfield	

So amendment No. 32 was rejected.

Mr. METCALF. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. CHURCH. I move to lay that motion on the table.

The motion to table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CHURCH. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. DOMINICK. I call up amendment No. 35.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 10, line 14, it is proposed to strike out the word "thirty" and insert in lieu thereof the word "five."

Mr. DOMINICK. I believe the amendment will be acceptable provided that——

Mr. ANDERSON. If the Senator from Colorado will read the language which the Senator from Idaho is offering as a substitute for his amendment, I believe he will find it to be satisfactory.

Mr. CHURCH. If the Senator from Colorado will permit me to do so, I propose that we substitute, in place of the language contained in the amendment of the Senator from Colorado, the following:

On page 10, line 19, it is proposed to strike out the period and insert a semicolon, and to add the following:

"Provided, That a motion to discharge shall not be in order until the time for the committee to hold a hearing has elapsed."

That language is to be substituted in lieu of the language the Senator from Colorado proposes.

I ask unanimous consent that the language I have read be substituted in place of the language of the amendment offered by the Senator from Colorado.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CHURCH. Mr. President, I yield back the remainder of my time on the amendment.

Mr. DOMINICK. I yield back the remainder of my time on the amendment.

Mr. ANDERSON. Mr. President, I should like to direct a question to the distinguished Senator from Colorado. In view of the fact that there is a ceremony this afternoon which many Senators are eager to attend, I wonder whether the Senator would be willing to yield back the remainder of his time on the bill, provided we did the thing on this side, so that we could have a final vote on the bill.

Mr. DOMINICK. Yes; except for 2 minutes that I should like to use.

Mr. ANDERSON. I ask unanimous consent that the Senator from Colorado may be allotted 5 minutes to speak on the bill, and that all the remaining time on both sides on the bill be yielded back.

Mr. KUCHEL. Mr. President——

Mr. CHURCH. Mr. President, I ask unanimous consent that 5 minutes be allowed on each side for summation arguments prior to a final vote on the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

The question is on agreeing to the amendment of the Senator from Idaho, as a substitute for the amendment offered by the Senator from Colorado [Mr. DOMINICK].

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. DOMINICK. Mr. President, I was informed, just before we reached the agreement as to the limitation of time, that the senior Senator from Connecticut [Mr. DODD] wishes some time to be yielded to him. After I have made my own comments, I should like to yield to him, even if it is necessary to obtain more time.

The Senate is considering a bill as important, in my opinion, as any that has ever come before it. It is a bill with whose principle I am wholly in sympathy. As I said during the debate yesterday, I have hunted, fished, and explored all my life. I have done so in areas which will be included within the wilderness system. I, myself, have been on many of those lands.

However, I cannot understand how Senators can establish a wilderness system in which Congress will be regaining only some legislative control over the public lands, while leaving all the rest of the control to the executive department. I do not see how Senators can take action which will blanket into a wilderness system lands which have not been classified, which have not been evaluated, and which will thereby become locked up, so that no more than 2 percent of the people can get onto them and use them and enjoy them. By historical record, only that small number of people will use these lands, once they are within the wilderness classification.

Third, it does not seem to me to be correct or right to bulldoze a bill of this kind through the Senate, insisting on wording which will blanket—in this ad-

ditional property, will change the boundaries of the national parks and the boundaries of wildlife refuges, and will provide that the only thing Congress can do to change the arrangement is to veto a recommendation by an executive officer. In my opinion, that is the wrong way to legislate.

One more point. The bill establishes a principle which, as I have said, is good in its concept of having a wilderness system authorized by legislation. But in its present form, I do not believe the bill will ever pass the other body. I sat in the other body. I saw what the reaction in committee was to a bill of this kind. The reasons given in opposition were the very reasons which I stated in the debate on the principal amendments which were offered. The reaction of the other body was: If there is to be a trustee, Congress is the trustee of the public lands; so, for heaven's sake, let us be the trustee of the public lands and not say that we are simply vetoers of what someone else does.

It is with reluctance that I oppose the bill in its present form. I believe that Congress should retain and regain its control over the public lands. I believe that the bill should have been revised and revamped in order to place that power in the hands of the Senate or the House, and thereby provide for the proper delegation of powers as between the executive department and Congress. I cannot see how the bill can be passed in its present form without being subjected to attack by the people of the country on the ground that we have deliberately given away the responsibility which has been placed upon us by the Constitution.

Therefore, with reluctance, I shall be forced to vote against the passage of the bill.

Mr. President, if I have any time remaining, I yield it to the distinguished Senator from Connecticut.

Mr. ANDERSON. Mr. President, I believe we had an understanding that the Senator from Connecticut would be recognized. I ask unanimous consent that he may be recognized for 2 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Connecticut is recognized for 2 minutes.

Mr. DODD. Mr. President, since I have been a Member of Congress, and long before, I have been greatly interested in the issue of the conservation of our natural resources. I have spoken on the floor of the Senate on this question and have consistently supported conservationist measures.

Though I support the objective of this bill, I oppose its passage because it permanently delegates to the executive branch a constitutional power of the Congress, that of disposing of Federal territory, which is set forth in article IV, section 3, of the Constitution:

> The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to the Prejudice any Claims of the United States, or of any particular State.

This calls for affirmative action by Congress, and has been so interpreted by the courts.

Supporters of this delegation of constitutional power by Congress to the executive branch, defend it on the grounds that the original delegation was made many years ago and that the present bill would at least recapture for the Congress a veto power.

I disagree. I believe we should right the wrong that was done and not make it permanent. I believe we should restore the Constitution in this matter and not seek to permanently legitimize an unconstitutional delegation of power.

This is the time, when we are establishing a permanent, ambitious wilderness program, to set right the proper power of Congress as bestowed upon it by the Constitution.

The proponents of the wilderness bill successfully obscured this basic constitutional issue by providing that Congress could veto future executive proposals for permanently allocating public lands as wilderness areas. This procedure, if extended to other fields, would reverse the role of Congress from that of writing the laws of this Nation, subject to veto by the President, to that of merely having the veto power over laws written by the President. There is a world of difference between these two approaches, and that difference spells the disintegration of congressional power and of our traditional system of checks and balances.

All who have studied the decline and fall of representative governments, all who have observed the process by which parliaments are transformed from bodies which initiate action and make laws to bodies which subserviently ratify the actions of an all-powerful Executive, will share my apprehension over the fact that the Congress of the United States has traveled some distance down this road.

During the period in which I have served in Congress, I have seen proposals to delegate congressional power to the executive branch recur with increasing frequency. I regret to say that I have sometimes voted for such proposals. Each time this issue is before us, a plausible argument can be made for turning over this or that particular congressional power to the Executive, on the ground that such action will make the program in question more effective, better administered, and more coherently planned. And if one regards each of these proposed delegations of power as an isolated issue, he is tempted to support these delegations.

Yet, we must ask ourselves what will happen to the status of Congress if it does not soon turn its face rigidly against any further delegations of legislative power to the executive branch, however small or apparently meaningless? Each of us must answer that question himself, and many will have differing estimates as to what constitutes the danger point.

I believe the danger point has been reached, and I have made a personal decision to resist all future proposals which call for the delegation of one scrap of congressional power or responsibility or prerogative. This issue determined my position on the wilderness bill.

I supported the amendment of the Senator from Colorado [Mr. ALLOTT], which would have restored the affirmative power of Congress to dispose of the lands in question. If that amendment had been adopted, I would have supported the wilderness bill. Since it was defeated, I am voting against the bill.

Much as I wish to support conservation measures, I must oppose this one because the greatest conservation issue before us is the question of conserving the Constitution of the United States.

Mr. CHURCH. Mr. President, I yield 2 minutes to the distinguished Senator from Montana.

Mr. MANSFIELD. Mr. President, in my opinion, the bill upon which we are now about to pass judgment is a good bill. In September 1961 the Senate passed a good wilderness bill by a vote of 78 to 8. I hope that this year we shall again pass the bill by a large vote, because I think that in many respects the bill has been tightened and made better.

I wish to commend especially the distinguished senior Senator from Idaho [Mr. CHURCH], the floor manager of the bill, and the acting majority leader during the course of the debate on it; and also his strong backstops in the persons of the distinguished Senator from New Mexico [Mr. ANDERSON] and my own distinguished colleague from Montana [Mr. METCALF]. Together, they have occupied the seats of leadership and have displayed the traits of leadership.

I also wish to commend the senior Senator from Colorado [Mr. ALLOTT], who, because of the death of his mother on yesterday, is not with us today. He has been a stout proponent of the opposition side; and certainly he has an able colleague in the junior Senator from Colorado [Mr. DOMINICK], who has shown that he has done his homework carefully and thoroughly. He represents a point of view entirely different from that of many of us; nevertheless, he has proceeded with consistency, vigor, understanding, and tolerance to make a good case.

Now it is for the Senate to make the decision.

I wish to state—and I am sure the distinguished minority leader [Mr. DIRKSEN] will join me in this statement—that the debate has been conducted on a high level, and that Senators on both sides are to be complimented for sticking to the facts.

Mr. DIRKSEN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Mr. President, I wish to say that the distinguished junior Senator from Colorado [Mr. DOMINICK] has done a superb job in the management of the bill for the minority. I concur in the statement of the majority leader that it is clearly evident that the junior Senator from Colorado has done his homework carefully and well, not only on all the amendments, but also on

ne background of the bill. So I compli-ment him on the work he has done, even though we who are in the minority may ultimately fall by the wayside, and the majority may be the winner.

Mrs. NEUBERGER. Mr. President, will the Senator from Idaho yield 2 minutes to me?

Mr. CHURCH. I yield to the Senator from Oregon.

MINING IN THE WILDERNESS

Mrs. NEUBERGER. Mr. President, in the months since the Senate last acted upon legislation to establish a Wilderness Area Preservation System, we have heard many statements to the effect that these primitive domains are amply protected under existing regulations. I disagree with that viewpoint.

My opinion as to the necessity for passage of the wilderness bill has been strengthened by what has occurred in two such areas in my home State of Oregon—in the Three Sisters Wilderness Area and in the Kalmiopsis Wild Area. When the Senate last debated wilderness legislation, these two areas of unique scenic beauty were intact. Today the situation is quite different.

In the Three Sisters Wilderness Area, a California mining company has established a mining claim on 1,460 acres. We have been told that mining in the wilderness is necessary for national defense and security, in that the wilderness hides vast stores of strategic defense materials. But we are told that in Oregon the Three Sisters Wilderness Area must be breached in order to open a supply of pumice. Until this valid mining claim was filed, I had no idea that pumice of the type found in wilderness areas was either of strategic importance or in short supply. The lava mesas of eastern Oregon, I had thought, would give our Nation a perpetual supply of pumice.

Mr. Larry Worstell, recreation and land staff officer for the Willamette National Forest, told a meeting of the Izaak Walton Club, in Eugene, Oreg., on February 26, 1963, that there is nothing in the Federal law to prevent a mining company from working pumice claims in the Three Sisters Wilderness Area. Mr. Worstell told the group that the laws concerning wilderness areas specifically provide that they shall be subject to the same entry for mining purposes as other public lands.

This Forest Service official explained that once the claims are patented, the land in the Three Sisters Wilderness will belong to the mining company, and there would be no controls.

A similar situation has developed in the Kalmiopsis Wild Area of Oregon. The Senate should know that the Kalmiopsis Wild Area was set aside especially to preserve the complex of rare botanical species found there, and not found anywhere else in the world. These species include the Kalmiopsis plant and the Brewer Spruce. Seventeen species of conifers are found there. Also of great interest to recreationists is the Chetco River, the principal drainage system within the wild area. The river is noted for the limpid, almost luminous quality of its water. It is one of the principal fish producers of the coast.

But now that has changed. A placer mining operation has staked a claim on the entire stretch of the Chetco River which passes through this area. Westerners well know what happens to the terrain of a stream when placer operations move through. In the Kalmiopsis Wild Area, the banks and bed of the Chetco have been washed away and pumped through sluices in order to recover gold. The claim extends for 12 miles through this unique and scenic area. Mud and debris threaten the purity of this once clear stream.

These developments give us cause for concern if we are to provide a wilderness legacy for future generations of Americans. We must face the reality that if a miner wished to lop the top off Mount Hood, in Oregon, in order to get to minerals, he could do it. That is what the law says. It is legal. But is it necessary?

As an editorial writer for the Eugene, Oreg., Register-Guard remarked:

> Is America so short of pumice that we have to chew up the spectacular Mesa Rock area in order to get it?

Areas such as Mesa Rock are scarce, indeed, and are becoming scarcer. But pumice is hardly scarce. I urge the enactment of Senate bill 4, so that we can have some safeguards for wilderness, such as Oregon's Three Sisters and Kalmiopsis.

Mr. CHURCH. Mr. President, the Senate is about to vote on the question of the passage of a bill which, if enacted into law, will be regarded as one of the great landmarks in the history of conservation.

If we do not act now to conserve our vanishing wilderness, it will soon be lost forever. The wilderness not only is important to those who love the outdoor life and the sportsmen who hunt and fish there; it is equally needed for nature studies and general scientific inquiry, and for wise watershed and wildlife conservation. Therefore, it has general importance to the entire Nation.

When the previous bill on this subject was dealt with by the Senate, it was passed by a vote of 78 to 8. Scarcely any legislative proposal has been considered for a longer period of time. For 6 years, hearings on this proposed legislation have been held, and thousands of pages of testimony have been taken. Two years ago, the Senate debated the bill at length; and now, once again, the Senate has considered this bill carefully. The committee has given countless hours to a careful appraisal of the bill, which not only provides a sound method for the establishment of a wilderness system, but, far from relinquishing congressional control, also restores a strong measure of congressional prerogative which long ago was delegated to the executive branch.

Therefore, Mr. President, both from the standpoint of upholding the Constitution, and for the sake of advancing the cause of conservation for all our people, those now alive, and those yet unborn, I urge that the bill be passed.

Mr. McGOVERN. Mr. President, will the Senator from New Mexico yield to me to make a brief statement on the bill?

Mr. ANDERSON. I am glad to yield 2 minutes to the Senator.

Mr. McGOVERN. Mr. President, the pending bill to establish a National Wilderness Preservation System is landmark legislation. If the measure is passed, it will represent a historic action on the part of the 88th Congress. As a cosponsor of the bill, I attach a high priority to its enactment, and I am gratified that the Senate leadership has seen fit to schedule it for action so early in the session.

This measure would preserve in our national parks, national forests, and wildlife refuges certain portions of land to be designated as wilderness areas. Such areas would be preserved as nearly as possible in their original primitive condition, uncluttered by manmade installations.

There are several reasons why such a wilderness system is in the public interest.

First of all, as the Outdoor Recreation Resources Review Commission has said:

> Primitive areas satisfy a deep-seated human need occasionally to get far away from the works of man. Prompt and effective action to preserve their unique inspirational, scientific, and cultural values on an adequate scale is essential since once destroyed they can never be restored.

I think each one of us has been enriched at one time or another through our experiences with natural undisturbed areas of the country. Those of use who live in an area such as my home State, South Dakota, with its Black Hills, its comparatively uncluttered open spaces, its lakes and woods, have a special appreciation for the purpose of the wilderness preservation system. As the population of our country grows and as our city areas become more congested, it is all the more imperative that we look to the preservation of great primitive outdoor areas where people can go for recreational and inspirational experience.

It is also important that a portion of our wilderness area be preserved for scientific, conservation, and scenic purposes.

The wilderness bill does not rule out the possibility that mining, grazing, and lumbering interests may necessitate the opening up of some of our wilderness area for commercial exploitation at some future time. It places the responsibility for this decision, however, on the President and the Congress who are in the best position to evaluate the total public interest as over against a special interest consideration.

At a time when all of us are concerned about economy in Government, it is important to recognize that no expenditures of public funds are involved in this legislation. The land is presently owned by the Federal Government and will continue to be administered by the agencies now in charge of these areas. The proposed legislation simply establishes the criteria under which our wil-

derness areas will be managed so that we can assure their preservation for the cultural, inspirational, recreational, and scientific values that these areas can offer to ourselves and future generations.

Also, as the report of the Senate Interior Committee on this legislation states:

The Wilderness Preservation System can be established without affecting the economic arrangements of communities, counties, States or business enterprises since the areas are already withdrawn, or because existing private rights and established uses are permitted to continue. There will be no withdrawal of lands from the tax base of counties or communities; no withdrawal of timberlands on which lumbering operations depend, nor any withdrawal of present grazing or mining rights.

It should be further emphasized that this legislation has broad bipartisan support. The Outdoor Recreation Review Commission which recommends its passage was created by President Eisenhower. The bill has the strong backing of the present administration and was passed by the Senate in the last Congress by an overwhelming vote.

I earnestly hope that this important measure will be speedily enacted.

The PRESIDING OFFICER. All available time has been used.

The question is, Shall the bill pass? On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PEARSON (when his name was called). On this vote I have a pair with the junior Senator from Wyoming [Mr. SIMPSON]. If he were present, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Oregon [Mr. MORSE], the Senator from Alabama [Mr. SPARKMAN], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I further announce that, if present and voting, the Senator from Nevada [Mr. CANNON], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Oregon [Mr. MORSE], the Senator from Alabama [Mr. SPARKMAN], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent because of the death of his mother.

The Senator from Utah [Mr. BENNETT] and the Senator from Wyoming [Mr. SIMPSON] are absent on official business.

The Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. CURTIS], the Senator from New York [Mr. JAVITS], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The pair of the Senator from Wyoming [Mr. SIMPSON] has been previously announced.

If present and voting, the Senator from Nebraska [Mr. CURTIS], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

On this vote, the Senator from New York [Mr. JAVITS] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from New York would vote "yea" and the Senator from Colorado would vote "nay."

On this vote, the Senator from Kentucky [Mr. COOPER] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from Utah would vote "nay."

The result was announced—yeas 73, nays 12, as follows:

[No. 44 Leg.]

YEAS—73

Aiken	Hickenlooper	Morton
Anderson	Hill	Moss
Bartlett	Holland	Mundt
Bayh	Hruska	Muskie
Beall	Humphrey	Nelson
Bible	Inouye	Neuberger
Boggs	Jackson	Pastore
Brewster	Johnston	Pell
Burdick	Jordan, N.C.	Prouty
Byrd, Va.	Keating	Proxmire
Byrd, W. Va.	Kefauver	Randolph
Carlson	Kennedy	Ribicoff
Case	Kuchel	Robertson
Church	Magnuson	Russell
Clark	Mansfield	Saltonstall
Douglas	McCarthy	Smathers
Ellender	McClellan	Smith
Engle	McGee	Symington
Ervin	McGovern	Talmadge
Fong	McIntyre	Williams, Del.
Fulbright	McNamara	Yarborough
Gore	Mechem	Young, N. Dak.
Gruening	Metcalf	Young, Ohio
Hart	Miller	
Hartke	Monroney	

NAYS—12

Cotton	Eastland	Long, La.
Dirksen	Goldwater	Stennis
Dodd	Hayden	Thurmond
Dominick	Jordan, Idaho	Tower

NOT VOTING—15

Allott	Edmondson	Pearson
Bennett	Javits	Scott
Cannon	Lausche	Simpson
Cooper	Long, Mo.	Sparkman
Curtis	Morse	Williams, N.J.

So the bill (S. 4) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED

Statement of policy

SEC. 2. (a) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States and its possessions except those that are designated for preservation and protection in their natural condition. It is accordingly declared to be the policy of the Congress of the United States to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas in the United States and its possessions to be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

Definition of wilderness

(b) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitiude or a primitive and unconfined type of recreation; (3) is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM

Extent of system

SEC. 3. (a) The National Wilderness Preservation System (hereafter referred to in this Act as the wilderness system) shall comprise (subject to existing private rights) such federally owned areas as are established as part of such system under the provisions of this Act.

National forest areas

(b)(1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, primitive, or canoe: *Provided,* That the areas classified as primitive shall be subject to review as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review, in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the continued inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided,* That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be continued in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value: *Provided further,* That following such exclusions and additions any primitive area recommended to be continued in the wilderness system shall not exceed the area classified as primitive on the

e of this Act. The recommendation of President with respect to the continued lusion in the wilderness system, or the lusion therefrom of a primitive area, or tions thereof, shall become effective sub- t to the provisions of subsection (f) of s section: *Provided*, That if Congress re- ts a recommendation of the President i no revised recommendation is made to ngress with respect to that primitive area hin two years, the land shall cease to a part of the wilderness system and shall administered as other national forest ds: *And provided further*, That, primitive as with respect to which recommenda- ns are submitted to Congress on the hth, ninth, and tenth years of the review riod herein provided shall retain their tus as a part of the wilderness system ntil the expiration, in respect to each area, a full session of Congress, two years for submission of revised recommendations Congress by the President, and, if so re- bmitted, until the expiration of a full ses- on of Congress thereafter. Recommenda- ons on all primitive areas not previously bmitted to the Congress shall be made ring the tenth year of the review period. ny primitive area, or portion thereof, on hich a recommendation for continued in- usion in the wilderness system has not ecome effective within fourteen years fol- wing the enactment of this Act shall cease) be a part of the wilderness system and hall be administered as other national orest land.

(2) The purposes of this Act are hereby eclared to be within and supplemental to ut not in interference with the purposes for hich national forests are established as set orth in the Act of June 4, 1897 (30 Stat. 1), and the Multiple Use-Sustained Yield ct of June 12, 1960, Public Law 86-517 74 Stat. 215).

National park system areas

(c)(1) There shall be incorporated into he wilderness system, subject to the pro- isions of and at the time provided in this ection, each portion of each park, monu- nent, or other unit in the national park ystem which on the effective date of this Act embraces a continuous area of five thou- sand acres or more without roads. Within ten years after the effective date of this Act the Secretary of the Interior shall review the units of the national park system and shall report his recommendations for the incorporation of each such portion into the wilderness system to the President. Before the convening of Congress each year, the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the in- corporation into the wilderness system of each such portion for which review has been completed in the preceding year, to- gether with maps and definitions of bound- aries. The recommendation of the Presi- dent with respect to each such portion shall become effective subject to the provisions of subsection (f) of this section.

(2) The Secretary of the Interior shall in- clude, as part of his recommendations to the President under the provisions of this subsection, a description of the parts of each park, monument, or other unit submitted which should be reserved for roads, motor trails, buildings, accommodations for vis- itors, and administrative installations. Such parts shall be determined in accordance with the procedures for rulemaking under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), except that the public notice required under such section shall be at least ninety days prior to the determina- tion proceedings. No designation of an area for roads, motor trails, buildings, accommo- dations for visitors, or administrative instal- lations shall modify or affect the application to that area of the provisions of the Act ap- proved August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (39 Stat. 535; 16 U.S.C. 1 and following). The accommodations and installations in such designated areas shall be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural con- dition. Further, the inclusion of any area of any park, monument, or other unit of the national park system within the wilderness system pursuant to this Act shall in no man- ner lower the standards evolved for the use and preservation of such area in accordance with such Act of August 25, 1916, the statu- tory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, includ- ing, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 and follow- ing); section 3(2) of the Federal Power Act (16 U.S.C., sec. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C., sec. 461 and following).

National wildlife refuges and game ranges

(d) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, such portions of the wildlife refuges and game ranges established prior to the effec- tive date of this Act under the jurisdiction of the Secretary of the Interior as he may recommend for such incorporation to the President within ten years following the effective date of this Act. Before the con- vening of Congress each year the President shall advise the United States Senate and the House of Representatives of his recom- mendations with respect to the incorpora- tion into the wilderness system of each area recommended for such incorporation by the Secretary of the Interior during the pre- ceding year, together with maps and defini- tions of boundaries. The recommendation of the President with respect to each area shall become effective subject to the pro- visions of subsection (f) of this section.

Modification of boundaries

(e) Any proposed minor modification or adjustment of boundaries of any portion of the wilderness system established in accord- ance with this Act shall be made by the ap- propriate Secretary after public notice of such proposal by publication in a newspaper having general circulation in the vicinity of such boundaries and public hearing to be held in such vicinity not less than ninety days after such notice if there is sufficient demand during such ninety days for such hearing. The proposed modification or ad- justment shall then be recommended with map and description thereof to the Presi- dent. The President shall advise the United States Senate and the House of Representa- tives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective sub- ject to the provisions of subsection (f) of this section.

Effective date of President's recommenda- tions

(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress fol- lowing the date or dates on which such recommendation was received by the United States Senate and the House of Representa- tives; but only if prior to such adjournment neither the Senate nor the House of Repre- sentatives shall have approved a resolution declaring itself opposed to such recom- mendation: *Provided*, That in the case of a recommendation covering two or more sepa- rate areas, such resolution of opposition may be limited to one or more of the areas cov- ered, in which event the balance of the recommendation shall take effect as before provided: *Provided further*, That where a resolution of opposition to any such recom- mendation has been introduced, a hearing thereon shall be held within thirty days by the committee to which such resolution has been referred. Any such resolution shall be subject to the procedures provided under the provisions of sections 203 through 206 of the Reorganization Act of 1949 (5 U.S.C., secs. 133z-12—133z-15) for a resolution of either House of Congress: *And provided further*, That a motion to discharge the Committee shall not be in order until the time for the Committee to hold a hearing has elapsed.

Effect of public notice of proposed addition to wilderness system

(g) Public notice when given by either the Secretary of the Interior or the Secretary of Agriculture that any area is to be proposed under the provisions of this Act for incor- poration as part of the wilderness system shall segregate such area from any or all appropriation under the public land laws to the extent deemed necessary by such Secre- tary. Such segregation shall terminate (1) upon rejection of such proposal by the Pres- ident, (2) upon approval by the Senate or the House of Representatives of a resolution opposing the incorporation of such area in the wilderness system, or (3) five years after the date of such notice if the proposal to incorporate such area as part of the wilder- ness system has not been submitted to both Houses of Congress prior to the expiration of such five years.

Addition or elimination not provided for in this act

(h) The addition of any area to, or the elimination of any area from, the wilderness system which is not specifically provided for under the provisions of this Act shall be made only after specific affirmative authori- zation by law for such addition or elimi- nation.

Additional requirements with respect to recommendations

(i)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to any area's reten- tion in or incorporation into the wilderness system—

(A) give such public notice of the pro- posed action as they deem appropriate, in- cluding publication in the Federal Register and in a newspaper having general circula- tion in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be an- nounced through such means as the respec- tive Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands in- volved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the county, or in Alaska the borough, governing board of each county, or in Alaska the borough, in which the lands are located, the United States Forest Service, the United States Soil Conservation Service, the Corps of Engineers of the United States Army, the Bureau of Reclamation, the Bureau of Mines, the United States Geological Survey, the Bu- reau of Sport Fisheries and Wildlife, the Fed- eral Power Commission, the Rural Electri- fication Administration, and the Federal

Communications Commission, inviting each to set forth its views at the hearing. It shall be the responsibility of each named Federal agency to submit its independent views concerning the designation of an area as "wilderness", giving an analysis of the comparative values that may be involved as between wilderness and that type of development or uses for which the Federal agency has administrative responsibility.

(2) Views submitted to the President under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to Congress with respect to such area.

State lands surrounded by wilderness system

(j) In any case where State-owned land is completely surrounded by land incorporated into the wilderness system, such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unappropriated, and unoccupied Federal land in the same State, equal in value to the surrounded land: *Provided,* That if the State does not reserve mineral rights in the surrounded land conveyed to the United States, the United States need not reserve mineral rights in the land conveyed to the State in exchange.

Acquisition of certain privately owned lands within the wilderness system

SEC. 4. The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire as part of the wilderness system any privately owned land within any portion of such system under his jurisdiction, subject to the approval of any necessary appropriations by the Congress: *Provided, however,* That nothing in this Act shall be construed to confer a right of condemnation with respect to privately owned land within the boundaries of a wilderness area, or to impair any customary right or privilege heretofore enjoyed by the owners of such land, respecting access to it or to its ordinary use and maintenance.

GIFTS OR BEQUESTS OF LAND

SEC. 5. The Secretary of Agriculture and the Secretary of the interior may each accept gifts or bequests of land for preservation as wilderness, and such land shall on acceptance become part of the wilderness system. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

USE OF THE WILDERNESS

Other provisions of law

SEC. 6. (a) Nothing in this Act shall be interpreted as interfering with the purposes stated in the establishment of, or pertaining to, any park, monument, or other unit of the national park system, or any national forest, wildlife refuge, game range, or other area involved, except that any agency administering any area within the wilderness system shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character. Except as otherwise provided in this Act, the wilderness system shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use. Subject to the provisions of this Act, all such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

Prohibition of certain uses

(b) Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within the wilderness system, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such areas.

Special provisions

(c) The following special provisions are hereby made:

(1) Within the wilderness system the use of aircraft or motorboats where these practices have already become established shall be permitted to continue subject to such regulations as the appropriate Secretary finds necessary. In addition, such measures may be taken as are necessary in the control of fire, insects, and diseases, subject to such regulations as the appropriate Secretary finds necessary.

(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including but not limited to exploration for oil and gas), mining (including but not limited to the production of oil and gas), and the establishment and maintenance of reservoirs, water-conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (B) the grazing of livestock, where established prior to the effective date of this Act with respect to areas established as part of the wilderness system by this Act, or prior to the date of public notice thereof with respect to any area to be recommended for incorporation in the wilderness system, shall be permitted to continue subject to such regulations as are deemed necessary by the Secretary having jurisdiction over such area.

(3) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou roadless areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided,* That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats. Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act, Public Law 539, Seventy-first Congress, July 10, 1930 (46 Stat. 1020), the Thye-Blatnik Act, Public Law 733, Eightieth Congress, June 22, 1948 (62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act, Public Law 607, Eighty-fourth Congress, June 22, 1956 (70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture. Modifications of the Boundary Waters Canoe Area within the Superior National Forest shall be accomplished in the manner provided in section 3(e).

(4) Commercial services may be performed within the wilderness system to the extent necessary for activities which are proper for realizing the recreational or other purposes of the system as established in this Act.

(5) Any existing use or form of appropriation authorized or provided for in the Executive order or legislation establishing any national wildlife refuge or game range existing on the effective date of this Act may be continued under such authorization or provision.

(6) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(7) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

(8) Nothing in this Act shall be construed to prevent, within national forest and public domain areas included in the wilderness system, any activity, including prospecting, for the purpose of gathering information about mineral or water resources or to prevent the completely subsurface use of such areas, if such activity or subsurface use is carried on, in a manner which is not incompatible with the preservation of the wilderness environment.

RECORDS AND REPORTS

SEC. 7. The Secretary of the Interior and the Secretary of Agriculture shall each maintain available to the public, records of portions of the wilderness system under his jurisdiction, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding, pending additions, eliminations, or modifications. Within a year following the establishment of any area within the national forests as a part of the wilderness system, the Secretary of Agriculture shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made with the approval of such committees. Within a year following the establishment of any area in the national park system or in a wildlife refuge or range as a part of the wilderness system, the Secretary of the Interior shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives. Clerical and typographical errors in such legal descriptions and maps may be corrected with the approval of such committees. Copies of maps and legal descriptions of all areas of the wilderness system within their respective jurisdictions shall be kept available for public inspection in the offices of regional foresters, national forest supervisors, forest rangers, offices of the units of the national park system, wildlife refuge, or range.

CONTRIBUTIONS AND GIFTS

SEC. 8. The Secretary of the Interior and the Secretary of Agriculture are each authorized to accept private contributions and gifts to be used to further the purposes of this Act. Any such contributions or gifts shall, for purposes of Federal income, estate, and gift taxes, be considered a contribution or gift to or for the use of the United States for an exclusively public purpose, and may be deducted as such under the provisions of the Internal Revenue Code of 1954, subject to all applicable limitations and restrictions contained therein.

Land use Commissions

SEC. 9. With respect to any State having more than 90 per centum of its total land area owned by the Federal Government on

nuary 1, 1961, there shall be established r each such State a Presidential Land Use ommission (hereinafter called the Commis- on). The Commission shall be composed five persons appointed by the President, ot more than three of whom shall be mem- ers of the same political party, and at least hree of whom shall be residents of the tate concerned. The Commission shall ad- ise and consult with the Secretary of the nterior and the Secretary of Agriculture on he current utilization of federally owned and in such State and shall make recom- nendations to the appropriate Secretary as o how the federally owned land can best be tilized, developed, protected, and preserved. ny recommendations made to the Presi- ent by the Secretary of Interior or the Sec- etary of Agriculture and any recomenda- ions made to the Congress by the President ursuant to the provisions of this Act shall e accompanied by the recommendations and reports made with respect thereto by the Commission.

SEC. 10. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regu- lations in effect, and other pertinent infor- mation, together with any recommendations they may care to make.

SEC. 11. Nothing in this Act shall be con- strued as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act (16 U.S.C. 792–825r).

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. CHURCH. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Idaho.

The motion was agreed to.

THE JOURNAL

On request of Mr. MANSFIELD, by unanimous consent, the reading of the Journal of the proceedings of Monday, April 8, 1963, was dispensed with.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

REPORT ON GOVERNMENT EMPLOYEES TRAINING ACT—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

As required by section 18(c) of the Government Employees Training Act (Public Law 85–507, approved July 7, 1958), I am transmitting forms supplying information on those employees who, during fiscal year 1962, participated in training in non-Government facilities in courses that were over 120 days in duration and those employees who received training in non-Government facilities as the result of receiving an award or contribution.

JOHN F. KENNEDY.

THE WHITE HOUSE, *April 4, 1963.*

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON RESEARCH AND DEVELOPMENT PROCUREMENT ACTION

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on research and development procurement action, for the period January 1, 1962, through December 31, 1962 (with an accompanying report); to the Committee on Armed Services.

REGULATIONS FOR PREVENTING COLLISIONS AT SEA

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize the President to proclaim regulations for preventing collisions at sea (with accompanying papers); to the Committee on Commerce.

AMENDMENT OF TITLE 14, UNITED STATES CODE, RELATING TO APPOINTMENT, PROMOTION, SEPARATION, AND RETIREMENT OF OFFICERS OF THE COAST GUARD

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the provisions of title 14, United States Code, relating to the appointment, promotion, separation, and retirement of officers of the Coast Guard, and for other purposes (with accompanying papers); to the Committee on Commerce.

AMENDMENT OF SECTION 14 OF THE NATURAL GAS ACT

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 14 of the Natural Gas Act (with an accompanying paper); to the Committee on Commerce.

DRAFTS OF PROPOSED LEGISLATION RELATING TO THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act of July 8, 1932, relating to the control and possession in the District of Columbia of dangerous weapons, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the establishment of a Junior College Division within the District of Columbia Teachers College, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the Motor Vehicle Safety Responsibility Act of the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

AUDIT REPORT OF NATIONAL SAFETY COUNCIL

A letter from the president, National Safety Council, Chicago, Ill., transmitting, pursuant to law, an audit report of that council, for the year 1962 (with an accompanying report); to the Committee on the Judiciary.

AMENDMENT OF TITLE 38, UNITED STATES CODE, RELATING TO DELEGATION OF CERTAIN AUTHORITY TO THE CHIEF MEDICAL DIRECTOR IN THE DEPARTMENT OF MEDICINE AND SURGERY, VETERANS' ADMINISTRATION

A letter from the Administrator, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to amend title 38 of the United States Code to allow the Administrator of Veterans' Affairs to delegate to the Chief Medical Director in the Department of Medicine and Surgery, authority to act upon the recommendations of the disciplinary boards provided by section 4110 of title 38, United States Code (with an accompanying paper); to the Committee on Labor and Public Welfare.

AMENDMENT OF TITLE 39, UNITED STATES CODE, TO INCREASE THE AREA WITHIN WHICH THE POSTMASTER GENERAL MAY ESTABLISH STATIONS, SUBSTATIONS, OR BRANCHES OF POST OFFICES

A letter from the Postmaster General, transmitting a draft of proposed legislation to amend title 39 of the United States Code to increase the area within which the Postmaster General may establish stations, substations, or branches of post offices, from 10 to 20 miles (with accompanying papers); to the Committee on Post Office and Civil Service.

AMENDMENT OF AUTOMATIC-SEPARATION PROVISIONS OF CIVIL SERVICE RETIREMENT ACT

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the automatic-separation provisions of the Civil Service Retirement Act (with an accompanying paper); to the Committee on Post Office and Civil Service.

AMENDMENT OF APPROPRIATIONS FOR ATOMIC ENERGY COMMISSION

A letter from the Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the appropriations for that Commission (with accompanying papers); to the Joint Committee on Atomic Energy.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Ohio; to the Committee on the Judiciary:

"HOUSE JOINT RESOLUTION 2

"Joint resolution providing for ratification of the proposed amendment to the Constitution of the United States, relative to the qualification of electors

"Whereas both Houses of the 87th Congress of the United States of America, at the 2d session of such Congress, by a constitutional majority of two-thirds of the Members of each House thereof, made a proposition to amend the Constitution of the United States in the following words, to wit:

"'Joint resolution proposing an amendment to the Constitution of the United States relating to the qualifications of electors

"'*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within 7 years from the date of its submission by the Congress:

was established by the Highway Revenue Act of 1956. The present distribution of revenues derived from Federal highway user taxes is as follows:

Taxes on gasoline, diesel and special fuels: 100 percent to trust fund.

Taxes on tires, tubes and tread rubber: 100 percent to trust fund.

Taxes on new trucks, buses and trailers: 100 percent to trust fund.

Taxes on certain motor vehicle use: 100 percent to trust fund.

Taxes on new automobiles and motorcycles; None to trust fund.

Taxes on motor vehicle parts and accessories: None to trust fund.

Tax on lubricating oil: None to trust fund.

Mr. Speaker, during calendar year 1962 the Federal Government collected more than $4.7 billion in automotive taxes from the highway users of the Nation. However, more than $1.6 billion—or more than one-third—of this amount was diverted to general governmental purposes rather than the construction, improvement or maintenance of highways.

This reminds me of the traditional and somewhat cynical parental admonition, "Do what I tell you, not what I do."

Today I have introduced a bill to provide for the transfer to the highway trust fund the proceeds of those Federal highway user taxes now being deposited in the general fund. Enactment of this bill will provide tangible evidence to the owners of the Nation's nearly 80 million motor vehicles that their Federal Government intends to accord them fair and equitable treatment. More than that, however, it will provide financial assurance that the Federal-aid highway program will continue on an orderly, scheduled basis, and that the National System of Interstate and Defense Highways will be completed as originally planned.

I am fully aware of the fact that the receipts of the highway trust fund are now expected to be adequate to finance the Federal-aid highway program, including completion of the Interstate System, on the basis of the latest cost estimates. But let me emphasize that qualifying phrase, "on the basis of the latest cost estimates." Historically, cost estimates have proved to be very unreliable.

The current accelerated highway program was launched by the Federal-Aid Highway Act of 1956. The Highway Revenue Act of 1956 established the Highway Trust Fund and provided for the deposit therein of revenues then estimated to be sufficient to finance the program, including completion of the Interstate System, on the basis of the latest cost estimates available at that time.

By 1959, it had become apparent that the financial arrangements for the Federal-aid highway program were not adequate, because of increased costs and other factors. The 86th Congress provided for interim relief by enactment of the Federal-Aid Highway Act of 1959, but deferred so-called permanent action until later. The Federal-Aid Highway Act of 1961 provided so-called permanent solutions to the financial problems, on the basis of cost estimates prepared in 1960, and submitted to the Congress in 1961.

Despite enactment of the Federal-Aid Highway Act of 1961, it is still not certain that the financial problems of the Federal-aid highway program are solved. The rate of expenditure of Federal funds must still be controlled by reimbursement planning—a device which slows the rate of highway construction in many States. Because of the precarious balance of the trust fund it will be necessary to continue reimbursement planning for several years—unless additional funds are made available to the trust fund.

Also, as I mentioned earlier, the present financial arrangements for the highway program were based on cost estimates prepared in 1960. An index of bid prices on federally aided highway construction prepared by the Bureau of Public Roads showed that costs were falling until 1960. Immediately thereafter, however, costs began to rise, and this trend is still continuing.

Under existing law, the next estimate of the cost of completing the Interstate System is not to be submitted to the Congress until 1966. It seems very probable that this estimate will exceed the last estimate by a considerable amount. If so, the Congress again will be faced with a financial crisis, as it was in 1959 and 1961.

Transferring all highway user taxes to the Highway Trust Fund would guard against this, and would also carry out the principle stated in the Hayden-Cartwright Act that "it is unfair and unjust to tax motor vehicle transportation unless the proceeds of such taxation are applied to the construction, improvement, or maintenance of highways." It is for these reasons that I have introduced a bill to accomplish this. I hope that the Congress will give early and favorable consideration to the bill.

EIGHTH ENCYCLICAL OF POPE JOHN

Mr. HARSHA. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. SIBAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SIBAL. Mr. Speaker, Pope John XXIII has just issued the eighth encyclical of his reign. It is devoted to the overriding problem of peace. With the Pope, all of us feel the weight and tensions of these times when we live under the sword of nuclear holocaust. Pope John's message is an optimistic one filled with faith in the future of mankind. It should cheer us as we, who are also charged with public responsibilities, seek the road to lasting peace.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HEALEY (at the request of Mr. MURPHY of New York) for Wednesday, April 10, 1963, on account of illness.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. COHELAN.

Mr. LAIRD and to include charts and other extraneous matter in his remarks made today.

(The following Members (at the request of Mr. HARSHA) and to include extraneous matter:)

Mr. BERRY.

Mr. SHORT.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 4. An act to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 18. An act to change the name of Harpers Ferry National Mounment to Harpers Ferry National Historical Park; to the Committee on Interior and Insular Affairs.

S. 138. An act to redesignate the Big Hole Battlefield National Monument, to revise the boundaries thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 932. An act relating to age limits in connection with appointments to the U.S. Park Police; to the Committee on Interior and Insular Affairs.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4423. An act permitting the Secretary of the Interior to continue to deliver water to lands in the third division, Riverton reclamation project, Wyoming.

ADJOURNMENT

Mr. PUCINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 44 minutes p.m.) the House adjourned until tomorrow, Thursday, April 11, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

670. A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1964 in the amount of $200,000 for the Department of Justice (H. Doc. No. 99); to the Committee on Appropriations and ordered to be printed.

671. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of a proposed bill entitled "A bill to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts"; to the Committee on the Judiciary.

IOUSE BILLS REFERRED

following bills were severally read by their titles and referred, as indicated:

10446. An act to permit the use of cal sampling procedures in the exion of vouchers; to the Committee ernment Operations.

10672. An act to provide for the disn of judgment funds now on deposit credit of the Pawnee Tribe of Okla-

11052. An act to declare that 80 acres d acquired for the Flandreau Boardchool is held by the United States in for the Flandreau Santee Sioux Tribe;

11329. An act to provide for the reon and reestablishment of the village Murk and of the members of the o Indian Tribe inhabiting the village Murk, and for other purposes;

11425. An act to provide for the conce of 10 acres of federally owned land e White Earth Reservation to the Mina Annual Conference of the Methodist ch, and for other purposes; and

11562. An act to authorize the Secy of the Interior to sell Enterprise heria No. 2 to the State of Calia, and to distribute the proceeds of the to Henry B. Martin, Stanley Martin, h G. Martin, and Vera Martin Kiras; e Committee on Interior and Insular rs.

R. 11412. An act to amend provisions w relating to the settlement of admiralaims;

R. 11466. An act to enact subtitle II, ner Commercial Transactions," of title "Commercial Instruments and Transons," of the District of Columbia Code, for other purposes; and

R. 11546. An act to validate certain payits made to employees of the Forest rice, U.S. Department of Agriculture; to Committee on the Judiciary.

.TIONAL WILDERNESS PRESERVATION SYSTEM

The PRESIDING OFFICER laid be-e the Senate the amendment of the ouse of Representatives to the bill (S. to establish a National Wilderness eservation System for the permanent od of the whole people, and for other rposes, which was, to strike out all ter the enacting clause and insert:

SHORT TITLE

SECTION 1. This Act may be cited as the 'Wilderness Act".

ILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

SEC. 2. (a) In order to assure that an inreasing population, accompanied by exanding settlement and growing mechanizaon, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation nd protection in their natural condition, it s hereby declared to be the policy of the Congress to secure for the American people f present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

DEFINITION OF WILDERNESS

(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land and is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas within the national forests classified at least 60 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or nonsuitability for preservation as wilderness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as "primitive" within three years after the enactment of this Act, not less than two-thirds within seven years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as "wilderness" shall become effective only if so provided by an Act of Congress. Areas classified as "primitive" on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise. Any such area may be increased in size by the President at the time he submits his recommendations to the Congress by not more than five thousand acres with no more than one thousand two hundred and eighty acres of such increase in any one compact unit; if it is proposed to increase the size of any such area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit the increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value.

(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review roadless portions of parks, monuments, and other units of the national park system, and portions of wildlife refuges and game ranges under the jurisdiction of the Secretary of the Interior on the effective date of this Act and shall report to the President his recommendations. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to each such portion for which review has been completed, together with maps and definitions of boundaries. Each such recommendation calling for a change in status shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be construed to lessen the present statutory authority of the Secretary of the Interior with respect to the maintenance of roadless areas within units of the national park system.

(d)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided,* That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

(3) There shall further be included, with any recommendations to the President and to Congress with respect to the suitability of any area for preservation as wilderness, a concise statement identifying the specific values in the particular area that warrant the preservation of the area as wilderness, together with an identification of any other wilderness areas being preserved because of the presence of similar values, indicating the acreage of each such area and the total acreage of all areas preserved by reason of the presence of the same or similar values.

(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (d) of this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective only in the same manner as provided for in subsections (b) and (c) of this section.

USE OF WILDERNESS AREAS

SEC. 4. (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thye-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the areas), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1989, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as "wilderness areas"; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: *Provided*, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1989, except for the valid claims existing on or before December 31, 1989. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1990, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

(5) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

(6) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(7) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(8) To the extent that it is not incompatible with wilderness preservation, the Secretary of Agriculture shall, in national forest wilderness areas designated by this Act, permit hunting and fishing: *Provided*, That nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in wilderness areas.

Mr. GOODELL. Mr. Speaker, I de- and the reading of the engrossed copy the bill.

The SPEAKER. The gentleman from ew York [Mr. GOODELL] demands the eading of the engrossed copy of the bill.

Further proceedings will be postponed ntil tomorrow.

URTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a joint resolution of he House of the following title:

H.J. Res. 1145. Joint resolution to promote he maintenance of international peace and ecurity in southeast Asia.

ELECTION TO COMMITTEE

Mr. MILLS. Mr. Speaker, I offer a privileged resolution, and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 829

Resolved, That WILLIAM J. GREEN, of Pennsylvania, be and he is hereby elected a member of the standing committee of the House of Representatives on Post Office and Civil Service.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. POWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POWELL. Mr. Speaker, what time will the House meet tomorrow?

The SPEAKER. In the absence of a unanimous-consent agreement for an earlier hour, under the rules of the House it will meet at 12 o'clock.

Mr. ALBERT. Mr. Speaker, may I inquire whether it would be in order at this time and if there would be an objection at this time if I made a unanimous-consent request that the House convene at 11 o'clock?

Mr. HALLECK. I have been informed there would be objection.

THE ESTABLISHMENT OF A NATIONAL WILDERNESS PRESERVATION SYSTEM

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, with House amendment thereto, insist on the House amendment and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ASPINALL, JOHNSON of California, WHITE, SAYLOR, and MORTON.

AUTHORIZING SECRETARY OF THE INTERIOR TO CONVEY CERTAIN FEDERALLY OWNED LAND IN TRUST STATUS TO THE CHEROKEE INDIAN TRIBE OF OKLAHOMA

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6496) to authorize the Secretary of the Interior to convey certain federally owned land in trust status to the Cherokee Indian Tribe of Oklahoma, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That all the right, title, and interest of the United States in the following described land comprising 40 acres, more or less, heretofore set aside for school purposes, are hereby conveyed to the Cherokee Indian Tribe of Oklahoma, and such land shall not be subject to any exemption from taxation, or restriction on use, management, or disposition, because of Indian ownership:

"North half southeast quarter northeast quarter, and that part of the northeast quarter northeast quarter lying south of United States highway Numbered 62, section 20, township 16 north, range 22 east, Indian meridian, Oklahoma.

"SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the lands conveyed under the authority of this Act should or should not be set off against any claim against the United States determined by the Commission subsequent to the conveyance.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

The title was amended to read: "An Act to convey certain federally owned land to the Cherokee Tribe of Indians of Oklahoma."

A motion to reconsider was laid on the table.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I appreciate the action of the House in approving this measure, making available to the Cherokee Indians a parcel of land surplus to the needs of the Sequoyah Indian School in Oklahoma.

I regret the other body would not agree to the House version of this bill conveying the land in trust but it is apparent this is the best deal available to the Cherokees at this stage in the session, and the land is urgently needed.

The Hon. W. W. Keeler, chief of the Cherokee, has advised me by telephone that the Senate version of the bill is acceptable to him under the circumstances.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a telegram addressed to my colleague, the gentleman from Oklahoma [Mr. EDMONDSON], signed by the general counsel of the Cherokee Indian tribe, stating their consent to and satisfaction with this legislation, be made a part of the RECORD at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The telegram referred to is as follows:

MUSKOGEE, OKLA., *August 4, 1964*

Hon. ED EDMONDSON,
House of Representatives,
Washington, D.C.:

Just back from Sheridan this morning Have conferred by phone with Chief Keeler we both agree that the Cherokees will be happy to receive fee title in the name of the Cherokee nation to 40 acres at Sequoyah with no tax exemption and no restriction on use management as amended by Senate committee, we thank you for your effort and hope the bill passes this session and thank you for your telegram.

EARL BOYD PIERCE,
Cherokee General Counsel

INDEPENDENCE NATIONAL HISTORICAL PARK

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 988) to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in Independence National Historical Park, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 20, strike out "Act." and insert: "Act: *Provided*, That the Secretary of the Interior shall not obligate or expend any moneys herein authorized to be appropriated for acquisition of the land unless and until commitments are obtained for donations in an amount which in the judgment of the Secretary is sufficient to provide a replica of the Graff House in accordance with section 2.".

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AMENDING THE ALASKA OMNIBUS ACT

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 2881) to amend the Alaska Omnibus Act to provide assistance to the State of Alaska for the reconstruction of areas damaged by the earthquake of March 1964 and subsequent seismic waves, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

E AND PRIVATE LANDS WITHIN WILDERNESS AREAS

Sec. 5. (a) In any case where State-owned privately owned land is completely surrounded by national forest lands within is designated by this Act as wilderness, n State or private owner shall be given h rights as may be necessary to assure quate access to such State-owned or privately owned land by such State or private ner and their successors in interest, or the te-owned land or privately owned land ll be exchanged for federally owned land the same State of approximately equal ue under authorities available to the retary of Agriculture: *Provided, however,* at the United States shall not transfer to State or private owner any mineral interests unless the State or private owner inquishes or causes to be relinquished to United States the mineral interest in the rounded land.

(b) In any case where valid mining ims, or other valid occupancies are wholly thin a designated national forest wilderss area, the Secretary of Agriculture shall, reasonable regulations consistent with e preservation of the area as wilderness, rmit ingress and egress to such surrounded eas by means which have been or are being stomarily enjoyed with respect to other ch areas similarly situated.

(c) Subject to the appropriation of funds Congress, the Secretary of Agriculture is thorized to acquire privately owned land thin the perimeter of any area designated this Act as wilderness if (1) the owner ncurs in such acquisition or (2) the acquition is specifically authorized by Congress.

GIFTS, BEQUESTS, AND CONTRIBUTIONS

Sec. 6. (a) The Secretary of Agriculture ay accept gifts or bequests of land within ilderness areas designated by this Act for reservation as wilderness. The Secretary of griculture may also accept gifts or bequests land adjacent to wilderness areas desigated by this Act for preservation as wilderess if he has given sixty days advance notice hereof to the President of the Senate and the peaker of the House of Representatives. and accepted by the Secretary of Agriculure under this section shall become part of he wilderness area involved. Regulations ith regard to any such land may be in acordance with such agreements, consistent ith the policy of this Act, as are made at he time of such gift, or such conditions, consistent with such policy, as may be included n, and accepted with, such bequest.

(b) The Secretary of Agriculture or the Secretary of the Interior is authorized to ccept private contributions and gifts to be sed to further the purposes of this Act.

ANNUAL REPORTS

Sec. 7. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

Mr. JACKSON. Mr. President, I move that the Senate disagree to the amendment of the House and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to; and the Chair appointed Mr. JACKSON, Mr. ANDERSON, Mr. CHURCH, Mr. KUCHEL, and Mr. ALLOTT conferees on the part of the Senate.

INTEREST EQUALIZATION TAX ON CERTAIN FOREIGN SECURITIES

The Senate resumed the consideration of the bill (H.R. 8000) to amend the Internal Revenue Code of 1954, to impose a tax on acquisition of certain securities in order to equalize costs of longer term financing in the United States and in markets abroad, and for other purposes.

Mr. JAVITS. Madam President, I call up my amendment No. 1094 and ask that it be stated.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The amendment of the Senator from New York will be stated for the information of the Senate.

The LEGISLATIVE CLERK. It is proposed——

Mr. JAVITS. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment No. 1094, submitted by Mr. JAVITS, is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That (a) the President is authorized to consult with persons in the financial and investment field with a view to encouraging the making by such persons, with the approval of the President of a voluntary agreement or program limiting the sale of new issues of foreign equity securities or debt obligations to citizens or residents of the United States, or to domestic firms, corporations, or other entities, public or private. No act or omission to act pursuant to this Act which occurs while this Act is in effect, if requested by the President pursuant to a voluntary agreement or program approved under subsection (a) and found by the President to be in the national interest, shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act. A copy of each such request intended to be within the coverage of this section, and any modification or withdrawal thereof. shall be furnished to the Attorney General and the Chairman of the Federal Trade Commission when made, and it shall be published in the Federal Register.

(b) Upon withdrawal of any request or finding made hereunder the provisions of this section shall not apply to any subsequent act or omission to act by reason of such finding or request.

(c) The President may delegate any power or authority conferred upon him by this Act to any officer or agency of the United States; except that in the event such power or authority is delegated to any such officer or agency such officer or agency shall consult with the Attorney General and with the Chairman of the Federal Trade Commission not less than ten days before making any request or finding under this Act, and shall obtain the approval of the Attorney General with respect to any such request before making the same.

(d) This Act and all authority conferred thereunder shall terminate upon the expiration of years after the date of its enactment.

Mr. JAVITS. Madam President, this is the amendment for the Capital Issues Committee, a classic alternative to what the Senate is debating.

I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. FONG. Madam President, the bill H.R. 8000 now before the Senate, to impose a tax on acquisitions of certain foreign securities in order to equalize costs of longer term financing in the United States and in markets abroad, does not, I believe, merit the approval of the Senate. If this bill is enacted, it will be the first time in the history of our country that such a tax has ever been imposed. Never before have we even attempted to tax purchases of foreign securities.

It is widely recognized that it is sound policy for the United States to move toward greater mobility of capital among countries. Progress toward this goal is increasingly urgent for the continuing growth of the interdependent economies of the free world. H.R. 8000, by tending to impede the free operation of this country's capital markets, is inconsistent with the Nation's efforts in international cooperation and with our established national policies of free exchange of international investment.

While recognizing the seriousness of the problem of the persistent deficits in our balance of payments, I do not believe that the proposed tax in the long run will improve our balance of payments significantly.

Madam President, I oppose the bill for the following reasons:

First. The proposed bill is not addressed to the chief causes of the balance-of-payments deficit. The underlying assumption of H.R. 8000 is that private portfolio investment abroad is a major cause of this Nation's balance-of-payments deficit. In recent years, however, data compiled by the U.S. Department of Commerce indicate that private portfolio investment abroad has been relatively insignificant compared to such items as military expenses, unilateral transfers to foreign countries, tourist spending abroad, direct investments, and net U.S. Government long-term capital transfers. Accordingly, two critical weaknesses in the proposed bill are revealed.

First. Significant sources of capital flowing abroad are beyond the reach of the bill. The measure will not curb the dollar outflow stemming from direct investments abroad, U.S. Government long-term capital transfers and commercial bank loans—none of which comes under the interest equalization tax. These exempted bank loans in particular have risen markedly in recent months.

Second. The proposed bill is necessarily made relatively meaningless because of some of the exemptions it properly contains. Canada, which has been the prime cause of the outflow of dollars for new foreign portfolio investment over the years, will be exempt from the bill, thus reducing even further the limited scope of the measure. In the first quarter of 1963, Canada alone accounted for $348 of the $485 million portfolio outflow.

While Canada is given this exemption, Japan, America's second largest oversea customer—buying more from the United States than the United States buys from Japan—is not accorded a similar exemption.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 26. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes;

S. 1169. An act to authorize a per capita distribution of $350 from funds arising from judgments in favor of any of the Confederated Tribes of the Colville Reservation; and

S. 2961. An act to provide for the disposition of the judgment funds on deposit to the credit of the Northern Cheyenne Tribe of the Tongue River Indian Reservation, Montana.

NATIONAL WILDERNESS PRESERVATION SYSTEM—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today).

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ANDERSON. Mr. President, this Congress has responded in clear terms to a broad band of social and economic problems. What we have done we have done not only to meet the urgency of the moment, but for the future. In no area has this Congress more decisively served the future well-being of the Nation than in passing legislation to conserve natural resources and to provide the means by which our people could enjoy them.

One of the brightest stars in the constellation of conservation measures is the wilderness bill. This bill, which we are about to send to the President of the United States, will create a system to protect over 9 million acres of the public lands and forests in their natural majesty. And this bill provides that additional wilderness areas can be preserved.

The path of wilderness legislation through Congress has sometimes been as rugged as the forests and mountains embraced by the wilderness system. Many Americans, both in and out of Congress, have pioneered and blazed the trail that led to the establishment of the wilderness system. Among those who have been in the vanguard is the senior Senator from Minnesota. Senator HUMPHREY introduced the first wilderness bill in the Senate in 1956. And while that original proposal has undergone major revision, the concept proposed by that bill was carried through to reality in the conference report now before us. There were many others who labored diligently to shape into substance what had long been a dream.

While we stretch out the highways to carry ever-expanding traffic, while we build whole new communities to house a growing population, and while we consume more acreage for a burgeoning industry, we have set aside part of our land as it was when human eye first saw it—unscarred by man, primeval, a memoral to the Creator who molded it.

I was asked by one of the Members of the Senate about the destruction of wilderness areas during the 19 years that mining laws are to be applicable, and about the language in the House amendment in that respect. I assure that Senator that I shared his concern. I feared that the language of the amendment might be misinterpreted to mean that mechanized equipment could be used in prospecting—that bulldozers might be used to prospect or even cut long roads to the prospect areas.

We were assured by the House conferees that the House language has no such meaning.

We were told that the Forest Service has managed to avoid serious damage to the primitive, wild, and wilderness areas for 25 years or more; that Forest Service regulations governing mining activities in the areas can be continued and, indeed, that the regulations can be strengthened. The bill provides that activities in the areas shall be in harmony with the wilderness concept under reasonable regulations.

This was a crucial question in regard to the bill.

I have a great personal interest in the Gila wilderness in New Mexico. I do not want to see the beauty and the primitive grandeur of that area disturbed. I would be much happier if I knew that all new mining activity in the area was being stopped.

If there were to be a relaxation of mining regulations which would permit serious depreciation of wilderness values, I would have sought to still be in conference. It is true that the Forest Service has managed to protect most of the primitive and wilderness areas from depredations in the past. With the assurance that the regulations governing mining can be strengthened, I feel we have a meritorious bill.

The Senator from Colorado [Mr. ALLOTT] asked me a question a while ago. I hope he will ask it again. We are anxious to clear up any questions.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. ALLOTT. I would like to make some legislative history on an item which appears in the statement of managers on the part of the House on page 9 of the conference report, which deals with the 7,000 acres in the Gore Range-Eagles Nest Primitive Area, which may be deleted from that area and made available for Interstate Highway 70. I should have said, "not to exceed 7,000 acres." With respect to this area of 7,000 acres which may be utilized for a highway tunnel for Interstate Highway 70, as well as a water tunnel to supply the Denver area with water, I want to be sure that in authorizing the deletion of this amount of land it was the clear intention of the conferees that it could be used for those purposes, and that the conferees considered the uses to which it might otherwise be put.

Mr. ANDERSON. Yes. I want to assure the Senator that the matter was carefully considered. All the conferees agreed that the use of the 7,000 acres for this purpose would be in the public interest.

The language in section 3(c) is:

Notwithstanding any of the provisions of this act, the Secretary of Agriculture may complete his review and delete such area as may be necessary.

And so forth.

Therefore, we had to get in that language. It actually says the Secretary shall complete his review and shall delete. We had to give it the language of the act, but we all intended that it shall come out for that purpose.

Mr. ALLOTT. The report uses the words "in the public interest." The conferees were all of one mind that it was in the public interest to take out that land from the southern tip of the primitive area. Is that correct?

Mr. ANDERSON. The Senator is correct. All the conferees agreed that it was in the public interest to take out the area of 7,000 acres.

Mr. ALLOTT. Mr. President, I ask unanimous consent to have printed at this point in the RECORD paragraph 3 of the statement contained in the report.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

3. The conferees understand that Forest Service officials tentatively have decided that an undetermined amount of land, but not exceeding 7,000 acres, in the Gore Range-Eagles Nest Primitive Area, Colo., should be deleted and made available for Interstate Highway 70; in addition, the Denver Water Board has a plan for a tunnel in the general area. Under existing regulations the Chief of the Forest Service has been delegated authority to modify primitive areas and eliminate portions. Inasmuch as S. 4 as passed by the House would withdraw this authority from the Department of Agriculture, the conferees have provided that the Secretary of Agriculture may complete his review of the suitability or nonsuitability of the Gore Range-Eagles Nest Primitive Area for preservation as wilderness and delete up to 7,000 acres from its southern tip if he determines that such action is in the public interest. In this connection the conference committee noted that, if the President recommends that the Gore Range-Eagles Nest Primitive Area be designated as a wilderness area for inclusion in the wilderness system, he may recommend the addition of other lands, not now within the primitive area, to replace the 7,000 acres that may be deleted.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ANDERSON. Yes; I am happy to yield. I said he was the author of the original bill in 1956. I am happy to repeat that and to pay him tribute for the leadership he gave in this important cause.

Mr. HUMPHREY. I am grateful for those kind words. I rise to commend the Senator from New Mexico for the leadership he gave to this measure, and indeed, he made it possible for this bill to be here. I also want to salute the minority whip, the Senator from California [Mr. KUCHEL], for his cooperation, and indeed the Senator from Idaho [Mr. CHURCH] for his determined and skillful job in managing this bill in the Committee on Interior and Insular Affairs and on the Senate floor.

The bill as finally worked out may not meet all the criteria some persons had in mind for a wilderness preservation program, but in the main I would say it is a great forward step. It will do much not only for today, but for the future. Of all the pieces of legislation that have been passed, in terms of looking to the future, in terms of providing for the recreational needs of our people, in terms of preservation of the great resources of America and the need of a growing population to know something of the great out of doors, untouched and unscathed, nothing is more significant than this piece of legislation. I commend all the members of the committee who have worked so hard. It is a job well done. I am really pleased to be present when this important piece of legislation is being passed.

Mr. ANDERSON. I only want to say I am glad the Senator did include all the members of the committee. I have been on the Interior and Insular Affairs Committee longer than any other member. I never saw members on both sides of the aisle work better than they did on this bill. A great many questions were asked, but a careful bill has been worked out. We owe a debt of gratitude to all who contributed to this effort.

Mr. HUMPHREY. May I add that some of the conservation groups did yeoman labor on this bill. One of their members departed. I refer to Howard Zahniser, of the Citizens' Committee on Natural Resources; and the Secretary of the Interior, the Honorable Stewart Udall, surely should receive a note of commendation. I cannot help think of that public-spirited citizen who for many many years would be in the galleries when we were considering the wilderness bill. Howard Zahniser gave his life for it. I hope sometime in the future there will be some memorial to him because of his dedication to this important cause.

Mr. President, after 8 years of lengthy debate and partial action by one House of Congress or the other, the wilderness bill is about to become law. This occasion should not pass without a few words of tribute to the countless Americans who did their part to make this effort a successful one.

We have learned in those 8 years that it is one thing to speak out for the preservation of this Nation's precious wilderness areas, and it is quite another thing to enact a sound, fair, and meaningful national policy which makes that preservation possible.

In an age of automation, mechanization, and exploitation of our vast natural resources, the amount of public lands shielded from the onslaught of man's ambition and genius becomes even smaller. Our task in this age has been to stand off and ponder the consequences of that onslaught. I believe that this bill contains our verdict, and I believe that we can all be grateful that the verdict came while we still had wilderness to preserve.

During the 85th and 86th Congresses it was my privilege to be the principal sponsor of wilderness legislation. Since that first major wilderness bill was introduced in March 1957, both the Senate and the House have taken thousands of pages of testimony. During the 85th and 86th Congresses we held hearings not only here in Washington but in Oregon, California, Utah, New Mexico, the State of Washington, and Arizona. This pattern continued under the masterful leadership of the Senator from New Mexico [Mr. ANDERSON].

In 1961 Senator ANDERSON guided his wilderness bill to an overwhelming victory of 78 to 8. This margin demonstrated both the skill of the Senator from New Mexico and the soundness of the bill. Unfortunately, of course, the bill did not pass in the other body.

Last year, again under the adroit leadership of Senator ANDERSON and of the distinguished minority whip, Senator KUCHEL, the wilderness bill received a resounding vote of 73 to 12. I salute, too, the distinguished Senator from Idaho [Mr. CHURCH] for his determined and skillful job in managing this legislation in the Interior Committee and on the Senate floor.

Similar legislation finally saw the light of day just recently in the House of Representatives when that body approved H.R. 9070 on July 30. Once the bill had reached the floor, the voice of the majority was loud and clear as the bill passed 373 to 1.

Now, finally, a wilderness bill has passed both Houses, it has been thrashed out in conference, and it awaits the final nod from Capitol Hill before going to the President's desk. This is not only another mark of distinction for the 88th Congress, but a milestone in the lifelong efforts of many Americans to guard our primitive areas from abuse and ruination.

Those 8 years of legislative struggle have brought many modifications in the specific procedures for identifying and protecting certain wilderness areas. The proposal to establish a permanent national wilderness preservation council has been eliminated. The original definition of a wilderness area has been modified considerably. The regulations for the protection of wilderness areas have been revised and liberalized.

The changes have been many, but they have all been made in the interest of balance between the need for effective wilderness preservation and the need for realistic land-use programs or legitimate economic and commercial use. The bill is not an ideal one for all interests concerned—very few bills are—but neither is it an empty one with acceptability as its only virtue. It will help us to insure that these federally owned wilderness lands—some million acres—will be administered in such a way as to leave them unimpaired. And that is the crucial point, because once an act of destruction occurs in our wilderness areas, it cannot be undone. Prevention, in the form of a clear national policy, is far better than regret.

And so I salute those who made the passage of this bill possible by calling the Nation's attention to the problems it will help us to solve and by working year in and year out to bring about decisive action. There are many names I could cite—too many to mention now—but let me say again that this bill is, in a very real sense, a monument to the untiring work of the late Howard Zahniser, who was executive director of the Wilderness Society. He carried this fight for many years and he never wavered in his firm belief that eventually the wilderness bill would become law. Spencer Smith, Citizens Committee for Natural Resources, has been a stalwart leader in this effort which has required so many years and so much patience and determination. And, as I mentioned earlier, let us not forget the dedicated work of our Secretary of the Interior, the Honorable Stewart Udall.

To these men, to my colleagues in the Senate and in the House, and to the many others whose work was so vital, I say "A job well done." As far as our wilderness policy is concerned, Mr. President, we are finally out of the woods.

Mr. ANDERSON. I thank the Senator.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Mississippi.

Mr. STENNIS. I commend the Senator from New Mexico and the other members of the committee for the form in which they worked this bill out. I did not favor S. 4 in the form in which it was passed by the Senate on April 9, 1963, although I was in great sympathy with the overall objectives of the bill. My basic objection to the passage of S. 4 at that time was based on the provision thereof which provided for the immediate inclusion in the wilderness system of some 52 million acres of land now classified as primitive. Although the inclusion of this land would be subject to subsequent congressional veto, I believe the Congress should retain authority to include such land by specific action.

The conference committee agreed to accept the House provision which provided for this affirmative congressional control, which I believe represents the proper approach. I am pleased that the conferees reached this agreement because I have always been a strong advocate of conservation legislation, and I believe that we should maintain for future generations these wilderness areas. With this provision requiring

specific congressional authority for inclusion of new areas in the wilderness system, I can now vote for and support passage of this act.

Mr. ANDERSON. Mr. President, I move the adoption of the conference report.

Mr. ALLOTT. Mr. President, I should like to make a few remarks concerning the bill. This action will terminate what has probably been one of the most controversial bills before the Congress. The effort to achieve this legislation has gone on for almost 8 years now.

I voted against the Senate version of the bill twice. I voted against it because I was opposed to giving the Secretary or the President, as the case may be, the right to administratively include certain lands and areas within provisions of the bill, thereby leaving Congress with only what in effect was a negative veto.

I am happy to say that the bill as it is now written contains the principle that Congress must act affirmatively, by statute, to incorporate new areas into the wilderness area.

I believe these remarks are necessary, because certain extreme people from time to time have misinterpreted my position. I have never at any time been opposed to the establishment of a wilderness system. My approach was originally based upon the acceptance of a wilderness system consisting of a little more than 8 million acres. With the designation later of the wilderness area in Idaho, that acreage was increased to a little more than 9 million acres. The fact that the Senate bill also included the possibility that the Secretaries of the Interior and Agriculture could have designated as much as 63 million acres, leaving only a veto power to Congress, which would be subject to a great many objections, caused me grave concern.

To the basic wilderness area as it was designated then and as it exists now I have never objected. We shall achieve a better and more rational wilderness system this way than we would have under the original provisions of S. 4.

I am also happy that the present bill incorporates features of multiple use that the other bill did not contemplate. I believe this will give a reasonable opportunity in the future to do two things. First of all, it will make it possible to accurately appraise the land that is now suitable for inclusion in the wilderness area, and allow Congress the opportunity to put it in the system and give Congress time to study it. Secondly, it will give impetus to the opportunity for natural resources development, particularly in the West, where nearly all of the proposed wilderness areas are located, to which the Western States are justly entitled.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. ALLOTT. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. McNAMARA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SAVERY-POT HOOK BOSTWICK PARK AND FRUITLAND MESA PROJECTS, COLORADO

Mr. ALLOTT. Mr. President, I ask unanimous consent that the Senate reconsider the vote by which H.R. 3672, Calendar 1416, was passed earlier today.

Mr. SIMPSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, that it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. PROXMIRE. Mr. President, the distinguished Senator from Oklahoma and I were engaged in a discussion of the Oklahoma situation and the effect of the Supreme Court decision on apportionment, which was made on June 19, 1964, affirming the district court decision on Oklahoma elections.

In the course of our discussion, the Senator from Oklahoma indicated that there was no guidance and no real direction available to the Oklahoma Legislature as to what the district court was talking about in 1962 when it told the legislature to reapportion.

I quote from the language of the court on August 3, 1962, in the case of Moss against Burkhart:

> The matter of forming legislative districts, either house or senate, among counties is left to the discretion of the legislature, under the pertinent provisions of the Constitution with respect to substantial numerical equality, compactness, and contiguity. In this connection, the memorandum and suggested order and decree, filed in this court on July 30, 1962, by the Honorable Fred Hansen, first assistant and acting attorney general, is recommended as a most helpful treatise, and contains a suggested order and decree which indicates a legislative apportionment for both houses, which has been studied by the court, and which is believed to meet the desired standards.

Mr. MONRONEY. The Senator is now quoting from the lower court decision, the three-judge Federal court, not the U.S. Supreme Court. Is that correct?

Mr. PROXMIRE. That is correct.

The legislature was told precisely and exactly what the court had in mind. There was no vagueness about it.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MONRONEY. By the lower Federal court, that is.

Mr. PROXMIRE. Yes. It was told by the local Federal court, which is the only agency that could act under those circumstances, barring an appeal, and which could make this kind of direction.

The distinguished Senator from Oklahoma has argued with great force that Oklahoma really had no knowledge until the Supreme Court acted on June 22, 1964.

It is my contention that the State of Oklahoma had full knowledge. It was told clearly and in detail in 1962. It was told in most emphatic language in 1963. The promise was obtained in 1962. It was reviewed at the end of 1963. In February 1963 the Oklahoma Legislature acted. But how did it act? It apportioned the legislature in a way which was not in compliance with the Federal court order.

If no Federal district court but only the U.S. Supreme Court can give effective notice of any apportionment action, one can imagine how long it would take to obtain reapportionment in the various 50 States. The Oklahoma Legislature is not satisfied with the Supreme Court. This is not for the Oklahoma Legislature. They want to go to Congress. They want a super-Supreme Court.

They want Congress to set aside a decision by the Supreme Court. All of us may disagree with what the Supreme Court says, but once it acts, it seems to me, as good citizens, we have no recourse except to accept what the Court has said. Once we throw the umpire out of the ballgame, there can be no just decision, and we all know it.

Mr. MONRONEY. That would be true if there were no Supreme Court and if a sovereign State did not have the right to appeal to the Supreme Court in a situation governing a most fundamental States right that has been in existence since our entrance into the Union in 1907. Our county unit system of electing our legislature was approved by Congress when we were admitted as a State.

There had been no action to disallow this, until Oklahoma appealed to the Supreme Court of the United States, and the decision came down on June 22, 1964. It is true that we received notice 1 week earlier of what the Court's intent was in its decision of June 15; but I do not believe the Senator would want his State of Wisconsin, which he has the great honor to represent so well on the floor of the Senate, to suffer a major change in its entire apportionment philosophy on the basis of a lower court decision. That decision had no force or effect of law, because it had been appealed and had been stayed by the Supreme Court of the United States in February 1964, so that our elections could proceed. This was one of the purposes of the stay.

A short time before that, the State supreme court had issued a standby formula for use in our elections in case the Supreme Court stayed the inferior court's order.

The Senator is arguing about the decision of one U.S. district court supporting the one-person, one-vote principle. But other district courts of the United States held differently in the reapportionment matter. So the question was unsettled and uncertain in the minds of many local authorities and

Development and Assistance Act of 1954, as amended (7 U.S.C. 1704), for market development research authorized by section 104(a) and for agricultural and forestry research and other functions related thereto authorized by section 104(k) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(a)(k)), to remain available until expended, $4,000,000: *Provided*, That this appropriation shall be available in addition to other appropriations for these purposes, for payments in the foregoing currencies: *Provided further*, That funds appropriated herein shall be used for payments in such foreign currencies as the Department determines are needed and can be used most effectively to carry out the purposes of this paragraph, and such foreign currencies shall, pursuant to the provisions of section 104(a), be set aside for sale to the Department before foreign currencies which accrue under said title I are made available for other United States uses: *Provided further*, That not to exceed $25,000 for this appropriation shall be available for payments in foreign currencies for expenses of employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), as amended by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a)."

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein with an amendment, as follows: In lieu of the sum of $4,000,000, insert: "$2,000,000"; and after the sum of $25,000, change the word "for" to "Of".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 7: Page 7, line 17, insert:

"FOREST SERVICE

"Forest protection and utilization

"For an additional amount for 'Forest protection and utilization', for Forest research, $2,750,000, of which $900,000 for Forest research construction shall remain available until expended."

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein with an amendment, as follows: In lieu of the sum of $2,750,000, insert "$1,900,000"; and in lieu of the sum of $900,000, insert: "$50,000".

The motion was agreed to.

The SPEAKER pro tempore (Mr. HOLIFIELD). The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 26: Page 18, line 17, strike out: "to be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612)."

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 26 and concur therein with an amendment, as follows: Restore the matter stricken, amended to read as follows: ", of which $51,500,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612): *Provided*, That hereafter appropriations under this head shall be made in accordance with the provisions of Public Law 87-128.".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 35: Page 26, line 7, insert:

"EMERGENCY CONSERVATION MEASURES

"For emergency conservation measures, to be used for the same purposes and subject to the same conditions as funds appropriated under this head in the Third Supplemental Appropriation Act, 1957, to remain available until expended, $4,000,000, with which shall be merged the unexpended balances of funds heretofore appropriated for emergency conservation measures."

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 35 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 43: Page 32, line 10, strike out: ": *Provided*, That, in addition, not to exceed $500,000 of the funds available for the various programs administered by this Agency may be transferred to this appropriation for temporary field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574) to meet unusual or heavy workload increases."

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 43 and concur therein with an amendment, as follows: Restore the matter stricken, and add at the end thereof the following: ": *Provided further*, That no part of any funds in this paragraph may be used to administer a program which makes rural housing grants pursuant to section 504 of the Housing Act of 1949, as amended."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

DEVELOPMENT OF THE APPALACHIAN REGION

Mr. ELLIOTT, from the Committee on Rules, reported the following privileged resolution (H. Res. 861, report No. 1835), which was referred to the House Calendar and ordered to be printed.

H. RES. 861

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11946) to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Public Works now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

ESTABLISH A NATIONAL WILDERNESS PRESERVATION SYSTEM

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The Clerk read the statement.

The conference report and statement follow:

CONFERENCE REPORT (H. REPT. NO. 1829)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) entitled "An act to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter inserted by the House amendment insert the following:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Wilderness Act'.

"WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

"SEC. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as 'wilderness areas', and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as 'wilderness

areas' except as provided for in this Act or by a subsequent Act.

"(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

"DEFINITION OF WILDERNESS

"(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude of a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

"NATIONAL WILDLIFE PRESERVATION SYSTEM—EXTENT OF SYSTEM

"SEC. 3. (a) All areas within the national forests classified at least 30 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as 'wilderness', 'wild', or 'canoe' are hereby designated as wilderness areas. The Secretary of Agriculture shall—

"(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made.

"(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

"(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or nonsuitability for preservation as wilderness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as 'primitive' and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as 'wilderness' or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as 'primitive' within three years after the enactment of this Act, not less than two-thirds within seven years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as 'wilderness' shall become effective only if so provided by an Act of Congress. Areas classified as 'primitive' on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise. Any such area may be increased in size by the President at the time he submits his recommendations to the Congress by not more than five thousand acres with no more than one thousand two hundred and eighty acres of such increase in any one compact unit; if it is proposed to increase the size of any such area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit the increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value. Notwithstanding any other provisions of this Act, the Secretary of Agriculture may complete his review and delete such area as may be necessary, but not to exceed 7,000 acres, from the southern tip of the Gore Range-Eagles Nest Primitive Area, Colorado, if the Secretary determines that such action is in the public interest.

"(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review every roadless area of five thousand contiguous acres or more in the national parks, monuments and other units of the national park system and every such area of, and every roadless island within, the national wildlife refuges and game ranges, under his jurisdiction on the effective date of this Act and shall report to the President his recommendation as to the suitability or nonsuitability of each such area or island for preservation as wilderness. The President shall advise the President of the Senate and the Speaker of the House of Representatives of his recommendation with respect to the designation as wilderness of each such area or island on which review has been completed, together with a map thereof and a definition of its boundaries. Such advice shall be given with respect to not less than one-third of the areas and islands to be reviewed under this subsection within three years after enactment of this Act, not less than two-thirds within seven years of enactment of this Act, and the remainder within ten years of enactment of this Act. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be construed to lessen the present statutory authority of the Secretary of the Interior, with respect to the maintenance of roadless areas within units of the national park system.

"(d)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

"(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

"(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided,* That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

"(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

"(2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

"(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (d) of this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective only in the same manner as provided for in subsections (b) and (c) of this section.

"USE OF WILDERNESS AREAS

"SEC. 4. (a) The purposes of this act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

"(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

"(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thye-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thye-Blatnik-Anderson Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

"(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

"(b) Except as otherwise provided in this Act, each agency administering any area

designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

"PROHIBITION OF CERTAIN USES

"(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

"SPECIAL PROVISIONS

"(d) The following special provisions are hereby made:

"(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

"(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

"(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1983, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as 'wilderness areas'; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: *Provided*, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1983, except for the valid claims existing on or before December 31, 1983. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1984, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

"(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

"(5) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purposes of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

"(6) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

"(7) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

"(8) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

"STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

"SEC. 5. (a) In any case where State-owned or privately owned land is completely surrounded by national forest lands within areas designated by this Act as wilderness, such State or private owner shall be given such rights as may be necessary to assure adequate access to such State-owned or privately owned land by such State or private owner and their successors in interest, or the State-owned land or privately owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of Agriculture: *Provided, however*, That the United States shall not transfer to a State or private owner any mineral interests unless the State or private owner relinquishes or causes to be relinquished to the United States the mineral interest in the surrounded land.

"(b) In any case where valid mining claims, or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

"(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture is authorized to acquire privately owned land within the perimeter of any area designated by this Act as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress.

"GIFTS, BEQUESTS, AND CONTRIBUTIONS

"SEC. 6. (a) The Secretary of Agriculture may accept gifts or bequests of land within wilderness areas designated by this Act for preservation as wilderness. The Secretary of Agriculture may also accept gifts or bequests of land adjacent to wilderness areas designated by this Act for preservation as wilderness if he has given sixty days advance notice thereof to the President of the Senate and the Speaker of the House of Representatives. Land accepted by the Secretary of Agriculture under this section shall become part of the wilderness area involved. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

"(b) The Secretary of Agriculture or the Secretary of the Interior is authorized to accept private contributions and gifts to be used to further the purposes of this Act.

"ANNUAL REPORTS

"SEC. 7. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent infor-

nation, together with any recommendations they may care to make."

And the House agree to the same.

WAYNE N. ASPINALL,
HAROLD T. JOHNSON,
COMPTON I. WHITE, Jr.,
JOHN P. SAYLOR,
ROGERS C. B. MORTON,
Managers on the Part of the House.

HENRY M. JACKSON,
CLINTON P. ANDERSON,
FRANK CHURCH,
THOMAS H. KUCHEL,
GORDON ALLOTT,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to the amendment to the text of the bill:

The amendment to S. 4 which was adopted in the House differed from the bill as it came from the Senate in many respects. The conference committee adopted the House version except for the following:

1. The House version definition of a wilderness area included a requirement that the area have at least 5,000 acres of land. The Senate version had no such minimum requirement. In recognition of the fact that some areas of less than 5,000 acres may be suitable for preservation as wilderness, the conference provided that a wilderness area shall have at least 5,000 acres of land or be of sufficient size to make practicable its preservation and use in an unimpaired condition.

2. S. 4 as passed by the House would have provided that all areas within national forests classified at least 60 days before the effective date as "wilderness," "wild," or "canoe" are designated as wilderness areas. The conference committee adopted a standard of administrative classification as "wilderness," "wild," or "canoe" 30 days before the effective date of the act in order to make certain that there will be no duplication in connection with reviews completed by the Secretary of Agriculture and the Chief of the Forest Service within the last month.

3. The conferees understand that Forest Service officials tentatively have decided that an undetermined amount of land, but not exceeding 7,000 acres, in the Gore Range-Eagles Nest Primitive Area, Colo., should be deleted and made available for Interstate Highway 70; in addition, the Denver Water Board has a plan for a tunnel in the general area. Under existing regulations the Chief of the Forest Service has been delegated authority to modify primitive areas and eliminate portions. Inasmuch as S. 4 as passed by the House would withdraw this authority from the Department of Agriculture, the conferees have provided that the Secretary of Agriculture may complete his review of the suitability or non-suitability of the Gore Range-Eagles Nest Primitive Area for preservation as wilderness and delete up to 7,000 acres from its southern tip if he determines that such action is in the public interest. In this connection the Conference Committee noted that, if the President recommends that the Gore Range-Eagles Nest Primitive Area be designated as a wilderness area for inclusion in the wilderness system, he may recommend the addition of other lands, not now within the primitive area, to replace the 7,000 acres that may be deleted.

4. The provision relative to review of roadless portions of units of the national park and wildlife refuge systems was amended to (1) make clear that the report to the President shall present the recommendations of the Secretary of the Interior as to the suitability or non-suitability of roadless areas or islands for preservation as wilderness, and (2) provide for an orderly submission of recommendations during the 10-year period by requiring that not less than one-third of the areas be reviewed within three years after enactment, not less than two-thirds within seven years after enactment, and the remainder within 10 years after enactment.

5. The conferees deleted the provision of the House version that would have required the President to identify the specific values in any particular area warranting its preservation as wilderness and requiring a recapitulation with each recommendation of other areas preserved by reason of the presence of the same or similar values.

6. The applicability of the mining and mineral leasing laws to wilderness areas designated by S. 4 was modified by the conference committee to expire December 31, 1983 (instead of 1989 as provided in S. 4 as passed by the House) with all minerals withdrawn effective January 1, 1984.

In consonance with the general philosophy of the act, the conference committee limited this provision to those lands designated by S. 4 as wilderness areas. However, the conference committee noted that, in the absence of compelling reasons to the contrary, a similar limitation of time should be placed on those primitive areas or portions of primitive areas that are in the future designated as wilderness areas. The conference committee expects that the mining industry and the agencies of the Department of the Interior will explore existing primitive areas so that when legislation pertaining to such primitive areas is considered at a later date Congress will have the benefit of professional technical advice as to the presence or absence of minerals in each area.

7. Both the House and Senate versions contain a provision designed to preserve the existing jurisdiction of the States respecting wildlife and fish. The conferees have adopted the Senate language on this point as more clearly stating that nothing in S. 4 shall be construed as affecting current jurisdiction or responsibilities of the States with respect to wildlife and fish in the national forests.

Both the House and Senate versions provide for the designation as wilderness of the San Gorgonio Wild Area, Calif., and its inclusion in the National Wilderness Preservation System. The proposed installation of facilities to provide skiing for large numbers of people was the subject of much discussion in the House Interior and Insular Affairs Committee during consideration of this legislation. That committee, by a vote of 14 to 11, voted to provide for the installation of facilities for large-scale skiing utilization but this provision was deleted by the House itself.

The conference committee considered the use of the San Gorgonio Area and specifically considered amendments proposed by Congressman JOHNSON of California, and Senator KUCHEL pertaining to this matter. The conference committee refused to accept any of the alternate proposals. The conference committee was of the opinion that both the House and the Senate having voted to place the San Gorgonio Wild Area in the wilderness system, this should be done at this time. Nonetheless, it is noted that the matter is not considered as closed; and, if the people of California continue to desire a restudy of the area, they should make their views known to their Representatives in Congress and be in a position to have legislation introduced at the start of the next Congress. This will permit consideration at hearings devoted solely to this matter.

WAYNE N. ASPINALL,
HAROLD T. JOHNSON,
COMPTON I. WHITE, Jr.,
JOHN P. SAYLOR,
ROGERS C. B. MORTON,
Managers on the Part of the House.

Mr. ASPINALL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker and Members of the House, our committee on conference brings to you the conference report on the wilderness bill, one of the conservation bills that has gained so much publicity and so much interest throughout our country in the last many years.

Mr. Speaker, the language of the bill as amended by the conference report will be the language of the House bill, with seven changes.

Although these changes are not of major importance when compared with the main provisions of the legislation, nevertheless they are of sufficient importance for the Members of the House to know what took place in conference.

Mr. Speaker, the first amendment provides that an area under 5,000 acres, provided it has sufficient size to make practical its preservation and use in an unimpaired condition, may be included in the wilderness system, regardless of the fact that it is less than 5,000 acres.

The second amendment takes care of the situation that exists because two areas have been reclassified as wilderness within a period of time less than the 60-day period provided in the bill. The amendment provides that this act shall go into effect with regard to all of the areas classified within 30 days instead of 60, after final approval.

Mr. Speaker, the third amendment has to do with a provision, a particular provision with reference to a primitive area in Colorado where it is necessary to reclassify and, perhaps, declassify in the neighborhood of 7,000 acres in order to take care of the provisions of an agreement that has been arrived at heretofore between the National Forest Service and the State Highway Department of Colorado as well as the Bureau of Public Roads of the Federal Government. There is also involved the possible construction of a water tunnel in the area which may be declassified.

Mr. Speaker, the fourth amendment——

Mr. SAYLOR. Mr. Speaker, will the gentleman yield to me at that point?

Mr. ASPINALL. I am glad to yield to the gentleman from Pennsylvania.

Mr. SAYLOR. That was done in order to take care of a situation which would have been impossible under the terms of the bill, unless this specific exemption had been made; is that not correct?

Mr. ASPINALL. The gentleman is correct. The Saylor amendment approved at the time of the debate and House passage of the bill would have made it impossible to take care of this particular situation.

Mr. Speaker, the fourth amendment has to do with the study of roadless areas in the national parks, and provides for a staggered period of study. One-third must be reported in 3 years, the second third within 7 years, and the last third within a 10-year period.

Another amendment states very definitely that the President would not be required to identify all specific values in his recommendations because of the effect it would have upon a report in a detailed operation.

Mr. Speaker, another amendment has to do with the phasing out of the establishment of valid mining claims within a wilderness area. The final date for such ventures is established in the new bill as of 1983 instead of 1989.

Then, another amendment has to do with adoption of Senate language in S. 4, which preserved within the States their existing jurisdiction over fish and wildlife operations.

Now, Mr. Speaker, this brings to an end as far as the House of Representatives is concerned, with the adoption of this conference report, a long study, a long program of trying to secure Federal recognition of a wilderness system by statutory enactment.

This matter has been before Congress for something like 7 years. At times it seemed as if it would be impossible to arrive at any agreement between the groups and individuals desiring the establishment of wilderness areas or a wilderness system, and those in opposition to such a program—people and interests especially of the public land States where certain uses of the public lands, mean so much to the economy of the local governmental agencies and the economic interests of local communities.

May I pay tribute to those who have worked so long, so unselfishly, and so arduously in their endeavors to seek this legislation.

I desire to give particular recognition and I personally wish to comment on the cooperativeness and the industry of the gentleman from Pennsylvania [Mr. SAYLOR], the ranking minority member of the Committee on Interior and Insular Affairs.

There have been times when the gentleman from Pennsylvania and the chairman of the committee have been so much in opposition to each other on this legislation that it looked as if it would be impossible for us to ever get together. I think those who understand what is involved in this wilderness legislation can understand what at first divided us in our approach to the problem. The gentleman from Pennsylvania, especially during the last 2 years, has been most cooperative. He has consistently and forcefully presented his position and his personal views at all times as an able and conscientious legislator.

I speak about the cooperative attitude of the gentleman from Pennsylvania and his dedication to the work that has been entailed in this legislation. The gentleman from Pennsylvania has given a great deal of time to this, but at all times he has conscientiously represented the interests of conservation groups who were desirous of getting just as strong wilderness legislation as they could. The gentleman has not yielded except where it seemed to be absolutely necessary to yield in order to save the legislation. I wish to assure my friend from Pennsylvania that it is a personal pleasure to work with him on all of our natural resource projects.

I also wish to pay my compliments to the other members of the conference committee, the gentleman from New Mexico [Mr. MORRIS], the gentleman from California [Mr. JOHNSON], the gentleman from Idaho [Mr. WHITE], and the gentleman from Maryland [Mr. MORTON]. They, too, worked in a spirit of compromise that was necessary in order to resolve these issues.

The conferees of the other body did likewise. Each conferee was constructive, understanding, and effective at all times.

This legislation will be known as the Anderson-Saylor Act—named after two talented and able conservationists. But may I add also that it is the finished product of hundreds, yes thousands, of our farsighted citizens. Another name though stands out like a beacon light to all of us. That is the name of our late friend and coworker who gave so much of himself to make this moment possible—Howard Zahanizer—who, like the patriarch of old, was denied to experience his moment of victory.

We have legislation here that will be a landmark as far as the conservation movement is concerned. These areas will be permitted to be under Federal jurisdiction without too much expense so far as administration is concerned, serving the people of this generation and the generations to come, and it will be done as it should have been done in the first place by the Congress accepting its responsibility with respect to the determination of the use or uses of our public lands.

Mr. WESTLAND. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Washington.

Mr. WESTLAND. I have read this conference report, and I believe I am in complete agreement with the managers on the part of the House on this bill they have brought back.

I would like to ask the gentleman from Colorado one question: Does this legislation retain control of the public domain in the Congress?

Mr. ASPINALL. The gentleman is correct. The Congress has the final decision on what lands are placed in the wilderness category.

Mr. WESTLAND. Before the creation of any wilderness areas could be accomplished, it would require affirmative action by the Congress?

Mr. ASPINALL. The gentleman is correct.

The SPEAKER pro tempore (Mr. HOLIFIELD). The time of the gentleman from Colorado has expired.

Mr. ASPINALL. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, for those who are dedicated to conservation, today is a red letter day. It is a far cry from the closing days of the session in 1956, when I introduced in the House and the Senator from Minnesota [Mr. HUMPHREY] introduced in the Senate the first wilderness bills. There have been times, as the chairman of the House Committee on Interior and Insular Affairs has stated, when it seemed that a compromise of the differences was impossible.

Beginning with the early part of the 88th Congress the chairman of the House Committee on Interior and Insular Affairs, the distinguished gentleman from Colorado [Mr. ASPINALL], and I, sat down and tried to work out our differences. These differences were so wide that many people thought that it was useless to ever attempt a compromise. While the gentleman from Colorado says that I gave on behalf of the people who represented the conservation interests, I want to say that the gentleman from Colorado gave in many ways.

When the House by an overwhelming vote of 373 to 1 adopted the bill H.R. 9070 as its version of the wilderness bill and we went to conference with the Senate, the Senate had taken the version of the bills, with some slight changes that were introduced back in 1956. I know of no conference between the House and the Senate in which the version of the two bills passed by the separate bodies have been as far apart as these two versions. I can say that it was with the utmost spirit of cooperation between the Senate conferees and the House conferees that we are able to come to you today with a good wilderness bill.

Let me point out the conferees on the part of the Senate: Senator JACKSON, of Washington; Senator ANDERSON, of New Mexico; Senator CHURCH, of Idaho; Senator KUCHEL, of California, and Senator ALLOTT, of Colorado.

The conferees on the part of the House were the chairman of the House Committee on Interior and Insular Affairs, Mr. ASPINALL, of Colorado, Mr. JOHNSON, of California, Mr. WHITE, of Idaho, Mr. MORTON, of Maryland, and myself.

You will notice of the 10 conferees, all but 2 come from west of the Mississippi River. Since this bill involves most of the areas west of the Mississippi River, I want to say on behalf of my colleague, the gentleman from Maryland [Mr. MORTON] and myself that I think we came away with the best part of this bill for the people of the United States.

The spirit of cooperation between the conferees was outstanding. Both the House and Senate conferees were interested in a bill. The gentleman from Maryland [Mr. MORTON] and myself, from the East, appreciate the fact that the men who were conferees from the West have living with them not only the miners and the lumbermen, but the folks who are interested in agriculture, the folks who are interested in the cattle industry; and all of these interests had to be considered.

I think it is a tribute to the great system of the American Government that we can come to you today with a unanimous report.

I would like to give particular credit to all the members of the House Committee on Interior and Insular Affairs.

Two years ago while a bill was reported out of that committee, it was only after a long and bitter fight, and it was reported out under such conditions that it was impossible for the House to work its will and the bill died upon adjournment.

But this year all of the members of the House Committee on Interior and Insular Affairs cooperated and when this bill was reported out, it was reported out unanimously.

Mr. Chairman, this will mark a great day in our history. I might say that while it is a great day, it is also a day of regret so far as I am concerned because the man who first came to me and talked about a wilderness bill to set aside and establish a wilderness system is no longer with us. That man is the late Howard Zahanizer who as Members of the House know, died early this year. I am sure were he alive today, the happiest man in the United States would be Howard Zahanizer. I am sure that his spirit is with everyone of us here today.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague, the gentleman from Washington.

Mr. PELLY. I would like to express the appreciation of thousands of my constituents to the gentleman in the well of the House and to the members of this committee for the diligent and careful way in which they have worked on this legislation.

Especially do I want to express my own appreciation to the gentleman from Pennsylvania for insisting that control over our wilderness systems remain in the legislative branch where it belongs.

Mr. SAYLOR. I thank my colleague.

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague from Pennsylvania.

Mr. KUNKEL. Mr. Speaker, I would like to express my appreciation to my colleague, the gentleman from Pennsylvania, for the magnificent work that he has done on this bill. I was interested in wilderness legislation and in the steps to be taken to preserve the wilderness areas when I was in the Congress before. Ever since my return to the House of Representatives, I have done my best to cooperate and to secure legislation on this subject. Of course, during that time it became very obvious to me how difficult it was to reach an agreement which would satisfy everybody. I did not think it could be done, but I want to congratulate the chairman of the committee and my colleague, the gentleman from Pennsylvania, and the members of the committee as well and also the Members in the Senate for bringing this fine piece of legislation in. I think it is a red letter day and I feel very happy to have had a minor part in it myself.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague from California.

Mr. BALDWIN. I would like to commend the gentleman from Pennsylvania [Mr. SAYLOR] and the chairman of the committee, the gentleman from Colorado [Mr. ASPINALL] and the other conferees for the excellent work they did in the conference, and particularly for their successful efforts to resist an effort made in the conference to restore a provision dealing with the San Gorgonio wild area in California. I want to particularly commend the gentleman from Pennsylvania [Mr. SAYLOR] for his efforts over these many years that have largely resulted in the passage today of this wilderness bill.

The SPEAKER pro tempore (Mr. HOLIFIELD). The time of the gentleman has expired.

Mr. ULLMAN. Mr. Speaker, as a former member of the Committee on Interior and Insular Affairs and also of the Outdoor Recreation Review Commission, I have a longstanding interest in this legislation and know some of the basic problems that have too long delayed its passage. I want to pay special tribute to the distinguished chairman of the committee, the Honorable WAYNE ASPINALL, of Colorado, for his perseverance, and his conscientious dedication to the cause of effecting a compromise that would protect and preserve not only the great natural resources involved but also human and economic equities. This has been done. I commend the ranking minority member, the Honorable JOHN SAYLOR, for his important contribution—as well as the other members of the committee. This legislation adds another gold star to the 88th Congress' record of accomplishment. I am proud to support the conference recommendations and the legislation as finally written.

Mr. QUIE. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding and I want to congratulate him on an outstanding job in promotion and developing this wilderness bill. It was a privilege for me to be one of its proponents. Even though it is not all that I wanted, I believe it is an excellent bill and will greatly enhance our ability to protect the wilderness. I also want to thank the gentleman from Colorado [Mr. ASPINALL] and the other conferees for their work in bringing this bill back to us and even stronger than the one we passed earlier in the House.

The desire for adequate protection of wilderness areas will continue as is evidenced by the statement of Mr. William H. Magie, executive secretary, Friends of the Wilderness, in support of reclassification of the Boundary Water Canoe Area of Minnesota to complete wilderness status. He made this statement before the Secretary of Agriculture's Committee for the Review of the Boundary Waters Canoe Area on July 17, 1964. I would like to have it printed at this point in the RECORD:

STATEMENT BY MR. MAGIE

Friends of the Wilderness wishes respectfully to express its complete, emphatic, and most urgent support of the proposed change of status of the Boundary Waters Canoe Area, which is now before your committee.

Friends of the Wilderness is a voluntary organization of many thousands of members residing in all States of the Union and with some members in Canada. It was organized in 1949 to come to the support of the wilderness canoe country in the Superior National Forest at the time of the air ban conflict. We have continued in existence because of the crises which have never ceased. Our supporters come from all walks of life. Contrary to statements that have been made at other hearings, the great majority of our supporters are not the well-to-do class and leisure people. They are mostly the so-called little people, the working class, and most of them are young. The bulk of our contributions are in the individual memberships which amount to $1 each. We pay no salaries and no office expense. I write as executive secretary, which office I have held from the beginning, and for which I have never received one cent of pay.

Hearings such as these are not new to us, as one of the first hearings in regard to the airspace reservation in 1949, was held here in this very same room. I personally have attended hearings in regard to the wilderness canoe country since 1928, when the first hearings by the International Joint Commission were held in regard to the Backus plan of making a water reservoir out of the entire area. I was then a member of the U.S. survey which made the investigation.

We wish to emphasize, as strongly as we can, the very great immediate need for reclassification of the area to true wilderness status. We say this because of our bitter experience in trying to protect and preserve the unique Minnesota wilderness canoe country, a bitter experience extending over 40 years of constant struggle. This canoe country, besides being one of the choicest wilderness regions in the Nation and absolutely unlike any other in character, is also the closest by far to the center of our population. Thus, the successful rewards of potential exploitation are very great. The area has been under intermittent attack by people seeking to circumvent or overthrow the Forest Service's wilderness regulations, since at least 1926, when the first roadless area regulations and restrictions were set up. Congress has intervened directly to protect and preserve and consolidate this wilderness canoe country several times, first and fundamentally, back in 1930 when it prevented, with the Shipstead-Newton-Nolan Act, piratical wholesale flooding of hundreds of miles of public shoreline by timber companies and pulpmill operators under the guise of waterpower development.

Without this direct intervention of Congress more than a generation ago, this matchless natural area—which is uniquely rich in historical associations dating back to before the French and Indian Wars—would have been destroyed, for completely superficial reasons, long ago. But this act was not enough to discourage other exploiters who have seen in this very choice public land, manifold opportunities for getting rich quick. They have been biting at it ever since, with roads, airplanes, air-service resorts, logging, court actions, legislative campaigns, and fait accompli. Only constant vigilance and struggle on the part of dedicated men, both lay and in the Forest Service, and Conservation Organizations Women's Clubs, garden groups and many others, including Boy Scouts, Camp Fire Girls, and even the Minnesota State Legislature. Further intervention by the Congress, and the executive branch, have kept the wilderness canoe country from succumbing.

Our population is increasing at a rate that was considered fantastic 20 years ago. Our mobility and leisure are increasing even faster. The pressures that have besieged our unique wilderness canoe country for 40 years, have doubled and trippled since the end of World War II.

Members of this organization are not residents of the region itself entirely, though

have a large number of supporters here. almost all of us have been in the canoe ntry many times, and all are acquainted some wilderness, or wildernesses. To y understand the value of a wilderness, ntlemen, you must have been there, and at sometime there, not much necessarily, enough to gain some readjustment from accustomed environment you have left, this one that is as old as man himself. does not take long for most. After all, se were man's surroundings during most his history. As late as a century ago, or , they were usually a part of the daily ironment of our forebearers. But now we entering the space age. What are the ues of such a wilderness today?

The values are both tangible and intangi-. The tangible values are self-evident most of us, alone transcending, in the le of the welfare of all the people, the ited commercial values. The wilderness noe country as one example, is a superla- e experience for young people particularly although all ages receive dividends of much e same kind. For young people it has vards of body building, character build- g and self-reliance training and an un- ualed opportunity to get close to and gain me understanding of nature. It has un- ual ethical and spiritual values. It has izenship values; it tends to provide an portant link with our country's past, and perception of it, that otherwise might be uch slower in developing. Most of us now this from our youthful experiences in is region. And we also know that there usually an unconscious awareness that is mething like this: The country that knows ough, and cares enough, to set aside and reserve an exceptional wilderness, like our noe country, and gives me the opportunity adventure in it, at really little cost, that is ithin the reach of everyone. I am proud hat this is my country, and that I have the rivilege of being a citizen of it.

There are also the intangible values. We ave touched on some of the intangible alues above since they tend to join inevit- bly with the tangible values. As we said efore, to understand these intangible values f a wilderness, such as our wilderness canoe ountry, one must expereince the canoe ountry himself. As modern man drifts arther and farther away from his old roots n the earth, he needs more and more, a few places where the natural environment sur- ives. In an indefinable way, these are sort f spiritual reference points between the in- lividual's earthbound past, and a future that s increasingly distant from it. Today, we nquestionably need such reference points, nd we will need them more in the future. Our wilderness canoe country, that still re- mains, is actually limited, and we cannot expand it. When it's gone, and that day is not far off, if the present tactics and policies are allowed to continue, that are in use to- day. Then the canoe country will be gone, gone forever, and never can be replaced.

As long as the possibility of gaining, in one way or another, the use of this choice public timberland, represented in the wilder- ness canoe country, exists, so long will heavy and unprincipled pressures, be directed against it. Such practices as continued log- ging, reckless cutting in protected areas, stashed and unattended boats in interior lakes, speed and fishing boats powered with heavy duty motors, rail tracked portages, truck and jeep portages, amphibious ve- hicles, commercial houseboats, permanent tent camps, firearms and last but not least, snowmobiles, used in winter traffic. Reclassi- fication of the BWCA to wilderness status would most certainly help to eliminate these malignant conflicting uses and practices that are making a mockery out of this great wilderness sanctuary.

The timber operators do not pay much for the peoples' trees: Let's look at the facts. According to Forest Service figures, given by L. P. Neff, forest supervisor, at a meeting last May in Grand Rapids, Minn., at which I was in attendance. The Forest Service re- ceives on the average approximately $1.50 per cord of pulpwood under their present timber contracts. The average cordage, as given by them, is 10 cords per acre. This gives the taxpayer about $15 an acre in rev- enue. The Forest Service informs us, that it costs the taxpayer, from $30 to $50 an acre to replant the logged-off acre, depending on the ground preparation costs. These figures do not include the cost of administration, fire protection, high or low release as re- quired after planting, or the cost of the maintenance of the access roads into the area, so that the work crews can get into the area to do their work. It will take at least 80 years before the replanted area, in the rocky terrain, can produce timber of suitable size to be merchantable. All in all, this timber cutting program in the BWCA, looks to us like a Government subsidized relief program for the timber industry, adminis- tered by the Forest Service. The taxpayer is going in the hole, somewhere in the neigh- borhood of $40 an acre, by the time the replanted area is ready for harvesting. We honestly believe that these areas are far more valuable to the people in their original state and that public recreation is incomparably its highest—and infinitely most valuable use. We believe that no other use is reasonably justified, nor should much longer be per- mitted.

For many years, the antiwilderness people and others, have sought to confuse the issues in regard to the preservation of the wilder- ness canoe country. This issue of reclassi- fication is just another, and the efforts to open up the area with roads, give it to the timber barons, and cut the area in size, these are all just more steps in this cynical rape of the last great wilderness east of the Rockies— the Nation's unique and really incomparable wilderness canoe country—the only region of its kind within our borders, and the equal of anything in Canada. Why are these peo- ple against the preservation of the wilderness canoe country? Is it an ethical reason? Is it a justifiable reason? Is it even a good reason? Or is it for a little more private enrichment of a few selfish people who de- mand their pound of flesh from the irre- placeable public lands that belong to all of the people? For a few more paltry dollars in these entrepreneur's already fat bank ac- counts. For this, gentlemen of the com- mittee, must our wilderness canoe coun- try be sacrificed. You and your committee, by careful study and review, can more than justify the recommendation, that the BWCA be reclassified to true wilderness status. We emphatically urge this decision. May our wilderness canoe country—Minnesota's greatest treasure—live unspoiled forever and forever.

Mr. ANDERSON. Mr. Speaker, I would like to express my wholehearted approval of the conference report fash- ioned by the conferees reviewing the wilderness bill. It is my sincere convic- tion that such legislation is urgently needed to preserve those wilderness areas which are sources of delight and inspira- tion for millions of Americans who in ever increasing numbers travel great dis- tances to imbibe the infinite beauty of nature untouched by man's spoiling hand.

Mr. Speaker, I am sure all of us would admit the quickening heartbeat and the sharp intake of breath when for the first time he sees a majestic waterfall tum- bling hundreds of feet down the side of an imposing mountain, hears the steady roar of water pounding relentlessly upon jagged rocks below, and feels the cool, refreshing mist blowing in his face. Who has not felt more akin to nature when alone in the forest he admires the ka- leidoscopic array of plant and animal life manifesting nature's imaginative and fertile hand? Who has not felt nature's rejuvenating power when he takes refuge from our highly industrial and mech- anized society by seeking relaxation in the country where trees and meadows replace steel and concrete? Certainly such a heritage should be preserved for the enjoyment of future generations and not squandered by this generation's myopic outlook.

We are all poignantly aware that our rapidly expanding civilization ravages vast wilderness areas in the name of progress. Over a million acres of land each year are consumed for construction of new roads alone. Numerous subdivi- sions and other developments which are the inevitable concomitants of an in- creasingly urbanized society account for vast additional amounts of land that are denuded of forests and otherwise de- spoiled. Continued appeasement to commercial exploitation can result only in the destruction of natural beauty and further depreciation of the land's recrea- tional value. Surely, the time has come when delay in protecting our wilderness areas would exhibit a selfish attitude wholly indifferent to our progeny.

Mr. Speaker, I am, therefore, proud to support the wilderness bill and the adop- tion of the conference report. What a great day it is for America and Ameri- cans to witness this forward stride in the development of a program for the protection of wildernesses in our national forests, parks, and wildlife refuges. I am convinced that this bill, germinated and nurtured in a spirit of careful de- liberation, will grow to become an abid- ing landmark in the development of 20th century public land laws.

Mr. ASPINALL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that any Member desiring to do so may extend his remarks on the conference report just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

MAKING IN ORDER CONSIDERATION OF H.R. 7107, ESTABLISHMENT OF FIRE ISLAND NATIONAL SEASHORE

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 851) and ask for its immediate consideration.

to Congressmen as part of a lobby-
fort in support of unrestricted urban
l that: 'We do not believe that social
s would be achieved by adoption of
y of deferring urban renewal projects—
ll families eligible for a publicly owned
g unit have been relocated. * * *.'
two policies are in direct conflict. It
admission that the Agency has not
carrying out the will of Congress. Mr.
should bring the policies of the Re-
opment Land Agency into line with
ll of Congress at once. If he is un-
to do so we demand that he resign.
request you to demand that the Dis-
commissioners and the Redevelopment
Agency reconsider the downtown urban
l plan, the Adams-Morgan urban re-
plan, and the Southwest project so
hey are brought into line with the
of the Congress as expressed by Chair-
AINS.

. Chairman, we have previously sup-
your proposed amendments to S. 628
ng minimal requirements for the pres-
on of these aims in the Washington,
program. We oppose S. 628 and any
f S. 3049, H.R. 12175 which will permit
renewal in the District without these
ial safeguards. Otherwise, any and all
ures of the District could be torn down
s occupants scattered.

ny of the persons to be displaced own
own homes. Must they go on public
ng to get another decent place in which
e? Are we increasing the demand for
housing at a time when many hard-
ng individuals want their own homes?
is nothing in this program for them.
FHA will not help them unless they
to the suburbs. Shouldn't they be
some help?

ose who are about to be dispossessed
d upon you to use every effort to see
proper safeguards for them and for
businessmen of the community are
ded. Your efforts on their behalf are
much appreciated. If you find, upon
appraisal of the situation, that the
dments you recommend are not assured
option in the closing days of this Con-
we request that you put the matter
until early in the new session. During
few intervening months the downtown
the Adams-Morgan plan, and the
west project can be revised and brought
line with the intent of Congress on
renewal.

"Sincerely yours,

"JOHN R. IMMER,
"President."

SPECIAL ORDERS GRANTED

unanimous consent, permission to
ess the House, following the legisla-
program and any special orders here-
e entered, was granted to:

r. HARRIS, for 5 minutes, today; to
e and extend his remarks and to
ide a statement from the President
he United States on the signing of
Securities and Exchange Act amend-
ts and include other information.

r. DERWINSKI (at the request of Mr.
MSON of Wisconsin), for 15 minutes,
y.

r. WIDNALL (at the request of Mr.
MSON of Wisconsin), for 15 minutes,
y.

EXTENSION OF REMARKS

y unanimous consent, permission to
nd remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WHITENER and to include extraneous matter.

Mr. WHITE.

Mr. MILLER of California.

(The following Member (at the request of Mr. THOMSON of Wisconsin) and to include extraneous matter:)

Mr. OSMERS.

(The following Members (at the request of Mr. BOGGS) and to include extraneous matter:)

Mr. POWELL.

Mr. RIVERS of South Carolina.

Mr. ROSENTHAL.

Mr. ZABLOCKI.

Mr. HARDING.

Mr. MATSUNAGA.

SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 83. An act for the relief of the estate of Mary L. McNamara; to the Committee on the Judiciary.

S.J. Res. 6. Joint resolution to cancel any unpaid reimbursable construction costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain non-Indian lands; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 439. An act to provide for the establishment of the John Muir National Historic Site in the State of California, and for other purposes;

H.R. 931. An act to provide for the establishment of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes;

H.R. 1794. An act to authorize payment for certain interests in lands within the Allegany Indian Reservation in New York, required by the United States for the Allegheny River (Kinzua Dam) project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation, and for other purposes;

H.R. 3545. An act to amend section 131 of title 13, United States Code, so as to provide for taking of the economic censuses 1 year earlier starting in 1968;

H.R. 4364. An act to provide for the free entry of certain articles imported for the use of certain universities;

H.R. 5837. An act to amend the act entitled "An act to authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation, and for other purposes," approved July 28, 1955;

H.R. 6910. An act to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 8960. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain, and for other purposes;

H.R. 9178. An act to amend section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes;

H.R. 10178. An act to authorize the Smithsonian Institution to employ aliens in a scientific or technical capacity; and

H.R. 11846. An act to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes;

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 4. An act to establish a National Wilderness Preservation system for the permanent good of the whole people, and for other purposes;

S. 793. An act to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project;

S. 1007. An act to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes; and

S. 3049. An act to extend and amend laws relating to housing, urban renewal, and community facilities, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 98. An act to amend the Internal Revenue Code of 1954 with respect to exportation of imported distilled spirits, wines, and beer, and with respect to the total contract price of sales of personal property on the installment plan;

H.R. 1213. An act for the relief of World Games, Inc.;

H.R. 1839. An act to provide for the free importation of certain wild animals, and to provide for the imposition of quotas on certain meat and meat products;

H.R. 2215. An act for the relief of E. A. Rolfe, Jr.;

H.R. 3071. An act to provide for the establishment of Fort Larned as a national historic site, and for other purposes;

H.R. 4018. An act to authorize establishment of the St. Gaudens National Historic Site, N.H., and for other purposes;

H.R. 4149. An act to provide for the satisfaction of claims arising out of scrip, lieu selection, and similar rights;

H.R. 4242. An act to provide for the release and transfer of all right, title, and interest of the United States of America in and to certain tracts of land in Pender County, N.C.;

H.R. 4818. An act to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce;

H.R. 5708. An act to bring certain U.S. commissioners within the purview of the Federal Employees Health Benefits Act of 1959

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12196) to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 4. An act to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes;

S. 3649. An act to extend and amend relating to housing, urban renewal, and community facilities, and for other purposes;

H.R. 439. An act to provide for the establishment of the John Muir National Historic Site in the State of California, and for other purposes;

H.R. 931. An act to provide for the establishment of the Allegheny Portage Railroad National Historic Site, and the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes;

H.R. 1794. An act to authorize payment for certain interests in lands within the Allegany Indian Reservation in New York, required by the United States for the Allegheny River (Kinzua Dam) project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation, and for other purposes;

H.R. 3545. An act to amend section 131 of title 13, United States Code, so as to provide for taking of the economic censuses 1 year earlier starting in 1968;

H.R. 4364. An act to provide for the free entry of certain articles imported for the use of certain universities;

H.R. 5837. An act to amend the act entitled "An act to authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation, and for other purposes," approved July 28, 1955;

H.R. 6910. An act to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 8960. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain, and for other purposes;

H.R. 9178. An act to amend section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes;

H.R. 10178. An act to authorize the Smithsonian Institution to employ aliens in a scientific or technical capacity; and

H.R. 11846. An act to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair (for the President pro tempore) announces the appointment of the Senator from Mississippi [Mr. STENNIS] as a member of the delegation on the part of the Senate to the Interparliamentary Union Conference at Copenhagen, beginning August 22, vice the Senator from Ohio [Mr. LAUSCHE], resigned.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that he had presented to the President of the United States the following enrolled bills:

On August 20, 1964:

S. 284. An act for the relief of Ethel R. Loop, the widow of Carl R. Loop;

S. 1006. An act to amend the act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes;

S. 2288. An act for the relief of John J. Feeney;

S. 2944. An act for the relief of the Greater Community Hospital Foundation, Inc.; and

S. 3075. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

On August 21, 1964:

S. 26. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes;

S. 793. An act to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project;

S. 1007. An act to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes;

S. 1169. An act to authorize a per capita distribution of $350 from funds arising from judgments in favor of any of the Confederated Tribes of the Colville Reservation; and

S. 2961. An act to provide for the disposition of the judgment funds on deposit to the credit of the Northern Cheyenne Tribe of the Tongue River Indian Reservation, Mont.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. MORSE. Mr. President, I do not know how I could pay greater respect to the Senator from Illinois [Mr. DOUGLAS] for the brilliant, cogent, unanswerably logical speech that he has made against the Dirksen amendment and the Tuck bill than to make a very few remarks of my own supplementing two speeches that I have already made on this subject matter.

I say to my friend from Illinois that I have never felt better in all my 20 years in the Senate. I have recently had a health report that announces that I am in a No. 1 condition. It would be interesting to see if cloture can be applied to those of us who seek to prevent the passage of an obviously, patently, clearly unconstitutional act. I want the Senator to know that, if he will not take offense, I know him so well, I want him to know that I have waited for some 20 years in the Senate to get liberal Senators to openly, confessedly filibuster with me.

This is the first time that I have had Senators tell me that they were going beyond the point of a prolonged debate.

It is important when we get to the point of seeking to protect the American people from the attempt to put a yoke around them of unconstitutionality and deny to them a precious right that the Supreme Court has handed down in the case of Baker against Carr, that we should filibuster until the country can speak. If there had not been Senators such as the Senator from Illinois [Mr. DOUGLAS] or the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Pennsylvania [Mr. CLARK] and the Senator from Michigan [Mr. MCNAMARA] and the others who have participated in the debate in the past 10 days or so, to the end that the leadership of this body has laid aside from time to time the Dirksen amendment and taken up other business of the Senate, we would already have passed in this body the Dirksen amendment which, as I said the other day, is patently unconstitutional. And we would have undercut and undermined the judicial processes of this Government. And we would have aided and abetted one of the most malicious, subversive trends in this country. It is a trend that is sweeping the Nation now—the trend that seeks to build up a disrespect for the U.S. Supreme Court.

I would have the American people remember that all their constitutional rights, and the preservation of all their constitutional rights hinges upon the protection of the inherent constitutional power that the U.S. Supreme Court decreed in the 1803 decision of Marbury against Madison. I am willing to stand in the Senate and protest the Dirksen amendment for as many hours as it may take, until finally the American people will come to their senses and make perfectly clear to their Senators from the 50 States of this Republic their obligation to see to it that the Dirksen amendment is not passed.

I disassociate myself from the comments that were made on the floor of the Senate, not only today, but in the past days, that all that is sought is to get the time for the legislatures to act.

The rotten borough legislatures of the country want the defendant to pass judgment upon his own guilt and impose his own sentence, which would be, of course, a rotten acquittal.

Mr. President, I have abiding faith in the judgment of the American people, once they get the facts. But there has been so much confusion in regard to this matter because of the platitudinous propaganda that has been fed to the American people by so much of the press, although at long last we are getting some editors—not enough, but we are getting some editors—to start analyzing the constitutional dangers of the Dirksen amendment.

As the Senator from Illinois said in his closing remarks, I believe it is good that we will have a recess or adjournment, for 10 days. I believe it is good that the American people will have a few days in which it may be possible, if the information can be presented to them, to reflect upon the arguments that have been made in the past 10 days or 2 weeks against the Dirksen amendment. Because of the recess for 10 days, this is the last oppor-

rey, State of California, in exchange for
n other lands;
. 12128. An act to amend the act of
10, 1964;
. 12196. An act to amend the District of
bia Police and Firemen's Salary Act of
as amended, the District of Columbia
ers' Salary Act of 1955, and for other
ses;
. 12278. An act to authorize the Secre-
of the Navy to convey to the city of
rvale, State of California, certain lands
county of Santa Clara, State of Cali-
, in exchange for certain other lands;
Res. 393. Joint resolution to authorize
resident to proclaim October 9 in each
as Leif Erikson Day; and
Res. 733. Joint resolution to designate
owerhouse on Clear Creek at the head
Calskeytown Reservoir, in the State of
rnia, as Judge Francis Carr Power-
.

MESSAGES FROM THE PRESIDENT

ssages in writing from the Presi-
of the United States submitting
nations were communicated to the
te by Mr. Miller, one of his secre-
s.

EXECUTIVE MESSAGES REFERRED

in executive session,
e ACTING PRESIDENT pro tem-
laid before the Senate messages
the President of the United States
itting sundry nominations, which
referred to the appropriate com-
ees.
or nominations this day received,
he end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

message from the House of Rep-
tatives, by Mr. Bartlett, one of its
ing clerks, announced that the
ker had affixed his signature to the
wing enrolled bills, and they were
d by the Acting President pro tem-
:

00. An act to establish penalties for
e of feed made available for relieving
ss or preservation and maintenance of
lation herds;
24. An act to provide for the registra-
of contractors of migrant agricultural
ers, and for other purposes;
92. An act to establish Federal agricul-
services to Guam, and for other pur-
;
365. An act to establish the Fire Island
nal Seashore, and for other purposes;
875. An act for the relief of Thomas
alley;
1170. An act for the relief of Mary
Laycock;
1905. An act to provide for the appoint-
of a Commissioner General for U.S.
cipation in the Canadian Universal and
national Exhibition, and for other
poses; and
1950. An act to authorize the mint to
be the figure 1964 on all coins minted
adequate supplies of coins are avail-

ENROLLED BILLS PRESENTED

he Secretary of the Senate reported
he presented to the President of the United States the following enrolled bills:

On August 22, 1964:

S. 4. An act to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; and

S. 3049. An act to extend and amend laws relating to housing, urban renewal, and community facilities, and for other purposes.

On August 31, 1964:

S. 400. An act to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds;

S. 524. An act to provide for the registration of contractors of migrant agricultural workers, and for other purposes;

S. 692. An act to establish Federal agricultural services to Guam, and for other purposes;

S. 1365. An act to establish the Fire Island National Seashore, and for other purposes;

S. 1875. An act for the relief of Thomas W. Talley;

S. 2170. An act for the relief of Mary Lane Laycock;

S. 2905. An act to provide for the appointment of a Commissioner General for U.S. participation in the Canadian Universal and International Exhibition, and for other purposes; and

S. 2950. An act to authorize the mint to inscribe the figure 1964 on all coins minted until adequate supplies of coins are available.

ORDER DISPENSING WITH CALL OF CALENDAR

On request by Mr. MANSFIELD, and by unanimous consent, the call of the legislative calendar, under rule VIII, was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

On request by Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

DEATH OF EDWARD J. HICKEY, JOURNAL CLERK OF THE SENATE

Mr. MANSFIELD. Mr. President, I announce that during the adjournment of the Senate, on last Friday, Mr. Edward J. Hickey, the Journal clerk of the Senate, passed away.

Mr. Hickey had a very extended service with the Government, both in the executive branch and for more than 47 years with the Senate itself. He was assistant Journal clerk from 1933 until he became Journal clerk in 1937. He was a devoted and valuable employee; and I am sure that I speak for the entire membership of the Senate in expressing our deep sorrow over his passing, and in extending deep sympathy to Mrs. Hickey and their two sons.

Mr. DIRKSEN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am delighted to yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, it is always a matter of grief and sorrow when mortal dissolution removes one who has had such a long record of constancy and devotion.

I believe that when Mr. Hickey's services in one capacity or another are added, it will be found that he served the Senate for approximately 47 years, which is almost half a century.

What a testament and a testimony it is to the constancy of his service, to his diligence, to his duty, and to the efficient way in which he discharged his responsibilities as a public servant.

I know that every Senator—and those who formerly served in the Senate—will mourn the passing of a good and faithful servant.

Mr. YARBOROUGH. Mr. President, I join in the tributes paid to our late Journal clerk, Mr. Edward J. Hickey. When I first came to the Senate 7 years ago, and studied the CONGRESSIONAL RECORD, the Journal, and various other publications of the Congress, I found that Mr. Hickey was extremely proud of the status of the Journal as the authentic document, in the event of a dispute, showed what bill was passed or defeated, and what amendment was adopted or rejected. It is the official record of the proceedings of this body. It would be difficult to find a custodian who was prouder of the record he kept or its authenticity, not with respect to debate, but with respect to the record of the action taken.

I regarded his work as being of such importance that I have kept in my personal office—not merely in my senatorial office, but in my personal office—bound copies of the Journal for each year since I came to the Senate.

We have lost a great public servant. Those who keep the records are quiet. They are not known to the public; but they are performing an indispensable service to the legislative process.

In the territorial body of the Commonwealth of Pennsylvania, Benjamin Franklin was the clerk, and kept the records. He stated that he thought the job was more important than that of being a member of the senate of the Commonwealth of Pennsylvania—first the Colony, and then the Commonwealth. Benjamin Franklin was one of the wisest of all Americans. He emphasized the importance of keeping accurate records. Fidelity in the keeping of such records is of great importance to our Government and to this body.

We have lost one of the finest and most dedicated servants the Senate has ever had. I join in the tributes paid to him and in expressions of condolence to his family.

I ask unanimous consent that the article from the Sunday Star, August 30, 1964, captioned, "E. J. Hickey, 77, Dies; Senate Journal Clerk," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

E. J. HICKEY, 77, DIES; SENATE JOURNAL CLERK

Edward J. Hickey, 77, Journal clerk of the Senate for 27 years, died Friday at his home after a heart seizure.

Mr. Hickey entered Government service in 1906 as an employee of the Department of

88TH CONGRESS
1ST SESSION

H. R. 9070

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 1963

Mr. SAYLOR introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

SEC. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands desig-

nated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

DEFINITION OF WILDERNESS

(b) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation,

which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land and is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value. For the purposes of this Act wilderness shall include the areas provided for in this Act and such other areas as shall be designated in accordance with its provisions.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after the effective date of the Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same

force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

(b) In accordance with the time requirements of this subsection, the Secretary of Agriculture shall review each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" as to its suitability for preservation and shall report his findings to the President. Within three years after the enactment of this Act with regard to half of the total number of such areas, and within two additional years with regard to the remaining such areas, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or declassification

as "primitive" of each area on which review has been completed, together with maps and definition of boundaries: *Provided*, That the President may, as a part of his recommendations, propose alteration of the existing boundaries, recommending the elimination and declassification as "primitive" of any portions not predominantly of wilderness value, and recommending the addition of any contiguous area of national forest lands predominantly of wilderness value. Each such recommendation of the President shall become effective only if so provided by an Act of Congress, and each such primitive area shall continue to be administered by the Secretary of Agriculture as on the date of this Act until Congress has acted on a recommendation of the President regarding the area, as provided in this subsection, or until Congress has determined otherwise.

(c) In accordance with the time requirements of this subsection the Secretary of the Interior shall review all roadless portions comprising five thousand or more contiguous acres of parks, monuments, and other units of the national park system, and such portions of, or roadless islands within, wildlife refuges and game ranges under the jurisdiction of the Secretary of the Interior on the effective date of this Act and shall report to the President his recommendations as to the suitability of each such portion for con-

tinued preservation as wilderness. Within three years after the enactment of this Act with regard to half the total number of such areas and within two additional years with regard to the remaining such areas, the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the designation as wilderness of each such portion for which review has been completed, together with maps and definitions of boundaries. Each such recommendation shall become effective only if so provided by an Act of Congress, and each such portion shall continue to be administered by the Secretary of the Interior as roadless until Congress has acted on a recommendation of the President regarding the area, as provided in this subsection, or until Congress has determined otherwise.

(d) (1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location

or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(d) (2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (d) of

this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective only in the same manner as provided for in subsections (b) and (c) of this section.

USE OF WILDERNESS AREAS

SEC. 4. (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thye-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act (Public

Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

(3) The designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance wtih the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.). All accommodations and installations within any national park or monument shall, furthermore, be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural condition.

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall

be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use. Subject to the provisions of this Act, all such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within wilderness areas designated by or in accordance with this Act, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft, nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such areas.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture or the Secretary of the Interior deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the appropriate Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys

shall be made available to the public and submitted to the President and Congress.

(3) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

(4) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of

timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

(5) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(6) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(7) To the extent that it is not incompatible with wilderness preservation, the Secretary of Agriculture shall, in national forest wilderness areas designated by this Act, permit hunting and fishing: *Provided*, That nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in wilderness areas.

STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

SEC. 5. (a) In any case where State-owned land is completely surrounded by lands designated as wilderness, such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant,

unreserved, and unappropriated mineral or nonmineral lands in the same State, not exceeding the value of the surrounded land, in exchange for the surrounded land: *Provided, however*, That the United States shall not transfer to State any mineral interests unless the State relinquishes or causes to be relinquished to the United States the mineral interest in the surrounded land.

(b) In any case where privately owned lands, valid mining claims, or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture and the Secretary of the Interior are authorized to acquire privately owned land within the perimeter of any area designated as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress.

GIFTS, BEQUESTS, AND CONTRIBUTIONS

SEC. 6. (a) The Secretary of Agriculture and the Secretary of the Interior may accept gifts or bequests of land within or adjacent to wilderness areas under their respective

jurisdictions for preservation as wilderness, and such land shall, on acceptance, become part of the wilderness area. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

(6) The Secretary of the Interior and the Secretary of Agriculture are each authorized to accept private contributions and gifts to be used to further the purposes of this Act. Any such contributions or gifts shall, for purposes of Federal income, estate, and gift taxes, be considered a contribution or gift to or for the use of the United States for an exclusively public purpose, and may be deducted as such under the provisions of the Internal Revenue Code of 1954, subject to all applicable limitations and restrictions contained therein.

ANNUAL REPORTS

SEC. 7. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

88TH CONGRESS
1ST SESSION

H. R. 9070

A BILL

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

By Mr. SAYLOR

NOVEMBER 7, 1963

Referred to the Committee on Interior and Insular Affairs

NATIONAL WILDERNESS PRESERVATION SYSTEM

JULY 2, 1964.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. ASPINALL, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 9070]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 9070) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert the following language:

SHORT TITLE

SECTION 1. This Act may e cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

SEC. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of

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Congress. No appropriation shall be available for the payment of expenses as a separate unit nor shall any appropriations be available for [illegible] stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

DEFINITION OF WILDERNESS

(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land and is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas, except the San Gorgonio Wild Area, within the national forests classified at least 60 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall

(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or nonsuitability for preservation as wilderness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as "primitive" within three years after the enactment of this Act, not less than two-thirds within seven years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as "wilderness" shall become effective only if so provided by an Act of Congress. Areas classified as "primitive" on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise; except that: (1) the Secretary of Agriculture, with the approval of the President, may determine that any portion of such primitive areas may be declassified and administered as other unclassified national forest land and upon such determination shall cause the same to be done, but no such determination shall become effective with respect to any primitive area or any portion of a primitive area which exceeds five thousand acres until 60 calendar days (which 60 days, however, shall not included days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three calendar days to a day certain or an adjournment sine die) after the Secretary has notified the President of [illegible] portion of a primitive area; (2) [illegible] date of this Act, may be increased in size by the President at the time he submits his recommendations to the Congress provided no such area is increased by more than five thousand acres with not more than one thousand two hundred and eighty acres of such increase in any one compact unit; and (3) if it is proposed to increase any primitive area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit such increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value.

(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review roadless portions of parks, monuments, and other units of the national park system, and portions of wildlife refuges and game ranges under the jurisdiction of the Secretary of the Interior on the effective date of this Act and shall report to the President his recommendations. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to each such portion for which review has been completed, together with maps and definitions of boundaries. Each such recommendation calling for a change in status shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be construed to lessen the present statutory authority of the Secretary of the Interior with respect to the maintenance of roadless areas within units of the national park system.

(d)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

(3) There shall further be included, with any recommendations to the President and to Congress with respect to the suitability of any area for preservation as wilderness, a concise statement identifying the specific values in the particular area that warrant the preservation of the area as wilderness, together with an identification of any other wilderness areas being preserved because of the presence of similar values, indicating the acreage of each such area and the total acreage of all areas preserved by reason of the presence of the same or similar values.

(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (d) of this section. The proposed modification of adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective only in the same manner as provided for in subsections (b) and (c) of this section.

supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thye-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purposes of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1989, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as "wilderness areas"; [illegible] may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: *Provided*, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1989, except for the valid claims existing on or before December 31, 1989. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1990, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

(5) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

(6) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(7) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(8) To the extent that it is not incompatible with wilderness preservation, the Secretary of Agriculture shall, in national forest wilderness areas designated by this Act, permit hunting and fishing: *Provided*, That nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in wilderness areas.

SEC. 5. The Secretary of Agriculture shall identify, set aside, and classify [illegible] an area of approximately three thousand five hundred acres, which he finds most suitable for the installation and development of facilities necessary for skiing utilization. The Secretary shall, within three years after the enactment of this Act, review the suitability of the other lands within the San Gorgonio Wild Area as constituted on the effective date of this Act, for preservation as wilderness, identify those portions that he believes should be classified as "wilderness", and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendation with respect to the designation as "wilderness" or other reclassification of lands presently within the San Gorgonio Wild Area, submitting therewith maps and a definition of boundaries. Pending review by the Secretary of Agriculture, the submission of recommendations by the President, and action by Congress on the President's recommendations, the Secretary of Agriculture may: (1) continue to manage lands not required for public skiing within the San Gorgonio Wild Area under regulations governing management of wild areas on the effective date of this Act; or (2) with the approval of the President, declassify any of the lands presently within the San Gorgonio Wild Area not suitable for management as "wilderness" and not required for skiing development and administer them as other unclassified national forest land.

STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

SEC. 6. (a) In any case where State-owned or privately owned land is completely surrounded by national forest lands within areas designated by this Act as wilderness, such State or private owner shall be given such rights as may be necessary to assure adequate access to such State-owned or privately owned land by such State or private owner and their successors in interest, or the State-owned land or privately owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of Agriculture: *Provided, however,* That the United States shall not transfer to a State or private owner any mineral interests unless the State or private owner relinquishes or causes to be relinquished to the United States the mineral interest in the surrounded land.

(b) In any case where valid mining claims, or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture is authorized to acquire privately owned land within the perimeter of any are a designated by this Act as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress.

GIFTS, BEQUESTS, AND CONTRIBUTIONS

SEC. 7. (a) The Secretary of Agriculture may accept gifts or bequests of land within wilderness areas designated by this Act for preservation as wilderness. The Secretary of Agriculture may also accept gifts or bequests of land adjacent to wilderness areas designated by this Act for preservation as wilderness if he has given sixty days advance notice thereof to the President of the Senate and the Speaker of the House of Representatives. Land accepted by the Secretary of Agriculture under this section shall become part of the wilderness area involved. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy as may be included in, and accepted with, such bequest.

(b) The Secretary of Agriculture or the Secretary of the Interior is authorized to accept private contributions and gifts to be used to further the purposes of this Act.

ANNUAL REPORTS

SEC. 8. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

[illegible] Representative Saylor, the committee considered the following bills for the establishment of a National Wilderness Preservation System: H.R. 295 (Bennett of Florida), H.R. 930 (Saylor), H.R. 991 (Cohelan), H.R. 1023 (Baldwin), H.R. 1114 (Reuss), H.R. 2001 (Dingell), H.R. 2530 (O'Hara of Illinois), H.R. 2880 (Hosmer), H.R. 2894 (Miller of California), H.R. 3878 (Quie), H.R. 5246 (Shelley), H.R. 5808 (Wydler), H.R. 7877 (Lindsay), H.R. 9101 (Quie), H.R. 9162 (Dingell), H.R. 9163 (Reuss), H.R. 9164 (O'Hara of Illinois), H.R. 9165 (Bennett of Florida), H.R. 9520 (Cohelan), H.R. 9558 (Udall), H.R. 10630 (Conte), H.R. 10752 (Mrs. St. George), and S. 4, which passed the Senate on April 9, 1963.

PURPOSE

H.R. 9070, as amended, establishes a National Wilderness Preservation System. This system will comprise federally owned areas, each of 5,000 acres or more, designated by Congress as "Wilderness areas" because of the undeveloped character of their lands and the need to protect and manage them in order to preserve, as far as possible, the natural conditions that now prevail.

BACKGROUND

The reservation and retention of some public lands to protect their natural status has long been an objective in the management of the Federal public domain. From among the areas set aside for retention as national forests, the first area specifically designated for wilderness preservation was earmarked in 1924 in the Gila National Forest, N. Mex.

In 1926 roadless areas were given initial protection in the Superior National Forest, Minn. Subsequently the complex of several areas in this forest was designated as the Boundary Waters Canoe Area.

The Secretary of Agriculture in 1929, by regulation, established procedures for the designation of primitive areas in the national forests. This regulation was superseded in 1939 by regulations identified as U–1 and U–2, which now are published in 36 CFR 251.20 and 251.21 establishing procedures for the designation of wilderness and wild areas. Under the regulations wilderness areas are those in excess of 100,000 acres and may be designated only by the Secretary of Agriculture; wild areas consist of lands between 5,000 and 100,000 acres and may be designated by the Chief of the Forest Service.

Simultaneously with the establishment of the new regulations, the Forest Service undertook a review of the 73 primitive areas that had been established between 1929 and 1939 to determine which ones should be designated in whole or in part as either wilderness or wild areas.

Since 1930 the Secretary of Agriculture and the Chief of the Forest Service have, by administrative action, set aside within the national forests 88 wilderness-type areas, i.e., wilderness, wild, primitive, and canoe.

designated as having wilderness characteristics is as follows:

Type	Acres
Wilderness areas (18)	6, 898, 014
Wild areas (35)	1, 336, 254
Canoe area (1)[1]	886, 673
Subtotal	9, 120, 941
Primitive areas (34)	5, 477, 740
Total, wilderness-type areas (88)	14, 598, 681

[1] The Boundary Waters Canoe Area, Superior National Forest, Minn., is the only one in this category.

Except for the Boundary Waters Canoe Area, none of the areas has been granted statutory recognition. Having been established by administrative action of the executive branch, any of the wilderness, wild and primitive areas could be similarly declassified and abolished by administrative action. In the alternative the administrators could, if they so desired, change the rules governing the uses allowed or prohibited within such areas.

A statutory framework for the preservation of wilderness would permit long-range planning and assure that no future administrator could arbitrarily or capriciously either abolish wilderness areas that should be retained or make wholesale designations of additional areas in which use would be limited.

This committee accordingly endorses the concept of a legislatively authorized wilderness preservation system. Furthermore, by establishing explicit legislative authority for wilderness preservation, Congress is fulfilling its responsibility under the U.S. Constitution to exercise jurisdiction over the public lands.

Basic Principles

In approaching the development of specific legislation, the committee was determined to act in the national interest with due regard to regional and local interests. It is submitted that H.R. 9070, as amended, is such a bill. The underlying principles of this measure are:

1. Areas to be designated as "wilderness" for inclusion in the wilderness system should be so designated by affirmative act of Congress.

(*a*) Those areas currently designated as "wilderness," "wild," and "canoe" have been defined with precision and could be given statutory designation immediately, if all other criteria are satisfied.

(*b*) Areas currently designated as "primitive" have not been defined with precision and should not be considered for inclusion in the wilderness system until completion of a thorough review during which all interested parties have an opportunity to be heard.

(*c*) Areas within units of the national park system and the national wildlife system that might qualify for inclusion in the wilderness system should not be considered for inclusion in the wilderness system until completion of a thorough review during which all interested parties have an opportunity to be heard.

2. Uses not incompatible with wilderness preservation should be permitted in areas included within the wilderness system.

3. Currently authorized uses that are incompatible with [illegible] over a reasonable period of time.

Provisions of H.R. 9070 as Amended

In harmony with the principles set forth above, H.R. 9070, as amended, designates as "wilderness" all but one of the areas classified by the Department of Agriculture or the Chief of the Forest Service 60 days before the effective date of the act as "wilderness," "wild," and "canoe" and provides for their inclusion in a National Wilderness Preservation System. The one exception is the San Gorgonio Wild Area comprised of 33,898 acres of land in the San Bernardino National Forest, which will be discussed separately. Accordingly, 9,087,043 acres of land in national forests would be included at the inception of the National Wilderness Preservation System, if at enactment more than 60 days will have elapsed from the date on which the most recent administrative designations of "wilderness" and "wild" were accomplished.[1]

COMPATIBLE USES

In those areas designated as "wilderness" grazing would be permitted where previously established subject to reasonable regulations deemed necessary by the Secretary of Agriculture. Specific provision is made for performance of commercial services "to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes" of the areas concerned. Hunting and fishing would be permitted to the extent not incompatible with wilderness preservation.

The bill further provides that, except as specifically provided, no commercial enterprise and no permanent roads would be authorized. The use of aircraft and motorboats may be permitted where these uses have become established.

Prospecting for mineral or other resources would be allowed if so conducted as to be compatible with the preservation of the wilderness environment. In addition, the Geological Survey and the Bureau of Mines are to survey the designated wilderness areas on a planned recurring basis to determine presence of mineral values.

Temporary roads and the use of motorized equipment would be authorized to meet minimum requirements for administration, including emergencies.

PHASEOUT OF NEW MINING ACTIVITY

The bill as reported by the committee limits to 25 years the applicability of the mining laws, and all laws pertaining to mineral leasing, in the national forest lands designated by the act as "wilderness areas." In order to effect maximum wilderness preservation it is further provided that locators of claims staked after the effective date

[1] The following designations have not been in effect for 60 days or more:
1. Shining Rock Wild Area was established May 7, 1964, on 13,400 acres of land in Pisgah National Forest, N.C.
2. South Warner Wild Area, was established June 8, 1964, on 68,507 acres of land in Modoc National Forest, Calif. (reclassified from the South Warner Primitive Area).
3. Cabinet Mountains Wild Area was established June 26, 1964, on 94,272 acres of land in Kaniksu and Kootenai National Forests, Mont. (reclassified from the Cabinet Mountains Primitive Area).

of the act will, on the issuance of patent, obtain title to the mineral required in connection with the mining operation. Effective January 1, 1990, the minerals in the national forest lands designated as "wilderness areas" would be withdrawn from further appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing.

CONSIDERATION OF OTHER AREAS

The bill provides that within 10 years after its enactment the Secretary of Agriculture shall review all primitive areas and the Secretary of the Interior shall review portions of the national park system and the national wildlife refuge system for the purpose of reporting to the President as to the suitability or nonsuitability of additional areas for classification as wilderness and their inclusion in the National Wilderness Preservation System. The President will transmit his recommendations to Congress and no recommendation will become effective unless so provided by an act of Congress.

Before making any recommendation to the President the Secretary of Agriculture and the Secretary of the Interior would be required to give widespread notice of the proposed action, hold public hearings, and obtain the views of interested Federal departments and agencies as well as State and local government officials. During the review period the Secretary of Agriculture could, with the approval of the President, declassify any primitive area.

GENERAL PROVISIONS

The bill further establishes incidental procedures concerning the management of the wilderness areas designated therein, authorizes the Secretary of Agriculture to accept land in wilderness areas, and authorizes both the Secretary of Agriculture and the Secretary of the Interior to accept contributions and gifts to further the purposes of the act. Annual reports would be submitted to the Congress.

USE OF MOUNT SAN GORGONIO

The long-range use of Mount San Gorgonio in the San Bernardino National Forest, Calif., presented the committee with one of the most difficult problems it had to resolve. As indicated above, it was the committee decision to exclude all of the San Gorgonio area from the wilderness system at this time with provision for an undefined portion to be included at a later date.

Forest Service action

The peak of San Gorgonio Mountain, together with areas on either side, were classified in 1931 by the Forest Service as the San Gorgonio Primitive Area. In 1947, after a public hearing on a proposal to provide a winter sports development for skiing, the Forest Service decided that, in its opinion, "wilderness was the predominant value and that the winter sports development should be rejected."

Acting under the regulations that had gone into effect after the initial classification, the Chief of the Forest Service in 1956 reclassified the primitive area and designated it as the San Gorgonio Wild Area on 33,898 acres of national forest land.

The expanding population in the Los Angeles-Riverside coupled with increased leisure time for many people and new interests in [illegible] the recent renewal of requests to the Forest Service for development of a portion of the San Gorgonio Wild Area for intensified skiing use. Nonetheless, there continued and remains considerable public support in this same area for maintenance of the wild area in an undeveloped state.

The Chief of the Forest Service on October 16, 1963, rejected an application for a special use permit to authorize installation of ski lifts and associated facilities. This decision has been appealed to the Secretary of Agriculture and the appeal is pending before the Secretary.

The issue

As indicated above, there is no unanimity of opinion within the communities adjacent to Mount San Gorgonio. During hearings on wilderness legislation considerable testimony and material was furnished to the committee by numerous witnesses presenting the arguments for and against the competing uses.

It was maintained quite convincingly that the introduction of ski lifts, access roads to the ski lifts, and adjacent parking areas would be incompatible with the continued designation of the immediate surrounding area for wilderness preservation.

The issue presents a test of the underlying principle that Congress should exercise its responsibility under the Constitution to affirmatively prescribe regulations for the management, use, and disposal of public lands. The committee, therefore, decided to meet the issue squarely and utilize this bill as a vehicle by which Congress could act to provide that the San Gorgonio Wild Area either be preserved in its entirety as wilderness or used in part for general recreational skiing.

Conclusion

Based on all the considerations involved the committee decided that the public interest would best be served by devoting a portion of Mount San Gorgonio to development with facilities to permit recreational skiing use by the general public.

Outdoor Recreation Resources Review Commission

This conclusion is supported by the findings and conclusions of the Outdoor Recreation Resources Review Commission, whose recommendations were based first on the premise that "The natural heritage of our Nation must be preserved in two senses," involving (1) protection of some areas in a manner "as nearly in their original state as possible" and (2) "opportunity for a wide variety of recreation uses that do not require the strict preservation of resources in their natural condition."

The second goal of the Commission was set forth as "the wise development of our recreation resources," pointing out that the larger number of our citizens require outdoor recreation serviced with "basic facilities—roads, picnic tables, sanitation."

"A third basic goal," according to the Commission report, which was submitted to the President January 31, 1962, "is accessibility—an opportunity for all Americans to know and enjoy the outdoors."

recreation over the next 40 years. [illegible] to achieve accessibility, existing areas must be further developed, and in many instances new sites must be acquired."

A balance in use

As indicated above, the committee recognizes the position of the competing demands for the use of that portion of San Bernardino Forest presently designated as the San Gorgonio Wild Area. It is submitted that the provision in H.R. 9070, as amended, effects a balance by providing reasonable access for a major population center to a mass recreational activity while, at the same time, providing for the preservation of some of the area in its natural state.

The bill provides that the Secretary of Agriculture shall identify and set aside 3,500 acres out of the 33,398-acre wild area for development with ski facilities. It is then provided that the Secretary shall make a review within a 3-year period of the suitability of remaining lands within the San Gorgonio Wild Area for their preservation as wilderness and report his findings to the President who will, in turn, advise the Congress.

The result

The committee assumes that, after the Secretary of Agriculture has identified for skiing development the area most suitable for that purpose, he will provide for the location of ski lifts in such a manner as to reduce, if not eliminate, the intrusion of roads into the area presently designated as the San Gorgonio Wild Area and also require all installations to be made in such a manner as to provide maximum possible preservation of the remaining area in its present condition. It is anticipated that this solution will provide outdoor recreation possibilities for everyone: those who, as stated by the Outdoor Recreation Resources Review Commission, "seek a completely natural environment," as well as the "major number [who] prefer activities in less primitive surroundings."

Committee Amendment

The committee amendment strikes all after the enacting clause and incorporates the provisions of the bill described above. These are further detailed below.

Section-by-Section Analysis

Section 1 provides for act to be cited as "The Wilderness Act."

Section 2 provides for the establishment of a National Wilderness Preservation System composed of such federally owned areas as are designated by Congress as "wilderness areas," in order to make certain that there is left to the American people in years to come unimpaired areas in their natural state. A definition of "wilderness" is likewise contained in the section. Areas incorporated in the wilderness system would continue to be managed by the department and agency having jurisdiction at time of inclusion in the wilderness system and no appropriation could be obtained for management of the wilderness system as such.

Section 3 provides for the designation as wilderness of all areas, [illegible] classified at least 60 days before the effective date of the act as "wilderness," "wild," or "canoe." The Secretary of Agriculture is required to file a map and legal description of each wilderness area with the respective Committees on Interior and Insular Affairs and thereafter to maintain records pertaining to the use and management of wilderness areas.

It is further provided in this section that, within 10 years after enactment, the Secretary of Agriculture shall review national forest areas classified as "primitive" and the Secretary of the Interior shall review portions of the national park system and of the national wildlife system to determine suitability or nonsuitability of additional areas for designation as wilderness. The respective Secretaries would report to the President, who would submit his recommendations to the Congress but no recommendation could become effective unless so provided by an act of Congress.

The section further establishes the procedure for public notice and hearings prior to submission of recommendations for preservation of additional areas as wilderness.

Section 4 provides the general framework concerning the uses permitted and prohibited in wilderness areas (grazing is permitted where previously established, commercial services are authorized only as necessary to realize recreational or other wilderness purposes but are otherwise prohibited, hunting and fishing are permitted to extend not incompatible with wilderness preservation, aircraft and motorboats may be permitted where established, and the mining and mineral leasing laws remain applicable for a 25-year period after which new mining and mineral leasing activity is prohibited); preserves the integrity of several statutes governing national forests and national parks; and establishes conditions under which emergency or other special uses may be granted.

Section 5 contains the provision discussed above in detail concerning the use of the San Gorgonio Wild Area.

Section 6 is concerned with non-Federal lands within and completely surrounded by national forest wilderness areas designated by H.R. 9070 as wilderness.

Section 7 authorizes the Secretary of Agriculture to accept gifts or bequests of land for the expansion of wilderness areas designated by the act and authorizes both the Secretary of Agriculture and the Secretary of the Interior to accept contributions and gifts to further the purposes of the Act.

Section 8 requires submission of annual reports to Congress.

Cost

It is anticipated that there will be no significant increase in budgetary requirements as a result of enactment of H.R. 9070, as amended.

The executive departments and agencies involved have recommended enactment of wilderness legislation, as indicated in the reports below:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., December 6, 1963.

Hon. WAYNE ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter of November 22, 1963, requesting reports on 19 listed bills, all dealing with wilderness protection.

Since the beginning of his administration, President Kennedy repeatedly supported the objectives of wilderness preservation and protection. He did so in the belief that a nation such as ours, which had conquered vast wilderness areas on its way to preeminence in the world, had a peculiar and unique responsibility to preserve portions of our country in a state approaching that in which our forefathers found it.

A wilderness preservation program would appear to accomplish three main objectives. First, it would provide specific examples of unmodified islands of nature for the use, education, and enlightenment of the generations which will follow us. Second, it would tend to spread the pressures upon our recreational resources which will become increasingly overburdened as the years go by. Third, it would tend to promote the economic interests of those communities which could become supply and accommodation bases for those using the preserved areas. Just as we in the present are the beneficiaries of the foresight of those who brought into existence in 1872 the first national park and created a statutory framework in 1916 for the administration of a series of national parks and monuments, we believe that the provision of a statutory base for wilderness and primitive areas would be in the national interest.

We believe that it is necessary and desirable to resolve as soon as possible the issues which have grown up around the subject of wilderness legislation. Accordingly, while we have previously indicated our support of other legislation for accomplishing the objectives sought by the 19 wilderness bills transmitted with your request of November 22, 1963, we nevertheless recognize that H.R. 9162, H.R. 9163, H.R. 9164, and H.R. 9165 represent a carefully considered and balanced effort at compromise and that they would provide a substantial measure of improved protection for wilderness areas, as well as orderly arrangements through which additional suitable wilderness areas could be given statutory protection.

In all the circumstances, therefore, and if amended as recommended by the Department of Agriculture, we regard these measures as acceptable and recommend favorable committee action thereon.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

Washington, D.C., December 12, 1963.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives,
Washington, D.C.

DEAR MR. ASPINALL: Your committee has requested a report on 19 bills relating to the establishment of a National Wilderness Preservation System.

We have previously indicated to the Congress our strong support for the enactment of legislation that will provide adequately for wilderness preservation. We wish to reaffirm this position. The Department submitted a favorable recommendation on S. 4 as introduced in the 88th Congress. After considering carefully the various proposals, we recommend the enactment of H.R. 9162 (or one of the identical bills, H.R. 9163, H.R. 9164, or H.R. 9165) if it is amended as suggested below. In our opinion, H.R. 9162 offers an equitable solution to the various wilderness questions that heretofore have been unresolved.

H.R. 9162 designates as wilderness areas the parts of the national forests that have been classified administratively as "wilderness," "wild," or "canoe." In addition, it requires the Secretary of Agriculture to review the areas of the national forests classified administratively as "primitive," and requires the Secretary of the Interior to review portions of the national park system and the national wildlife refuges and game ranges under his jurisdiction, with respect to their suitability for preservation as wilderness. The appropriate Secretary is then required to submit recommendations to the President who, in turn, is required to submit his recommendations to the Congress. Each recommendation of the President to designate an area as wilderness becomes effective only by a subsequent act of Congress. These subsequent acts will need to contain any provisions that are deemed appropriate with respect to nonwilderness uses of the areas, the acquisition of State and privately owned lands within the areas, and the acceptance of gifts or bequests of land or private contributions for wilderness purposes.

The Department of Agriculture suggests the deletion of the sentence on page 5 of the bill, beginning on line 8 and ending on line 13. We concur in this recommendation and believe the deletion of this sentence is essential to an effective bill. The purpose of the amendment is to make it clear that the Department of Agriculture may continue to administer these areas as primitive unless Congress affirmatively passes legislation providing otherwise.

In addition to this amendment, we are enclosing several technical and perfecting amendments, which we believe are desirable to remove ambiguities.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

1. Page 10, lines 15 and 16, delete "laws of the United States pertaining to mineral leasing and mining" and insert "the United States mining laws and all laws pertaining to mineral leasing."

The reference to laws of the United States "pertaining to" mining has no precise meaning. For example, it might be construed to include the Materials Act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601 et seq.), as amended. We assume that such construction was not intended. The amendment will clarify the subject because the term "United States mining laws" has a well-established meaning and has been given congressional recognition in many statutes.

2. Page 12, lines 6 and 7, delete the words "issued under the Mineral Leasing Act" and insert ", permits, and licenses."

This deletion is made because there are several mineral leasing acts which apply to the national forest areas designated by this act as wilderness. They are the Mineral Leasing Act of February 25, 1920 (30 U.S.C. 181), as amended; the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351–359); and the mineral leasing authority granted to the Secretary of Agriculture under a number of statutes with respect to certain acquired lands. This authority of the Secretary of Agriculture was transferred to the Secretary of the Interior by Reorganization Plan No. 3 of 1946 (60 Stat. 1099). See title 43, Code of Federal Regulations, sec. 200.31 et seq.

This amendment contains a reference to permits and licenses because the Secretary of the Interior also has authority under the above laws to issue these instruments with respect to certain minerals.

3. Page 12, line 12, change the period in this line to a comma, and insert "permitted, or licensed."

The reason for this amendment is the same as given for the insertion under amendment No. 2.

4. Page 12, lines 16 and 17, delete the words "leasing under the Mineral Leasing Act" and insert "disposition under all laws pertaining to mineral leasing."

The reasons for this amendment are the same as those given for amendment No. 2.

5. Page 12, line 5, delete the word "filed" and insert the word "existing."

The use of the word "filed" is ambiguous. In the context of the bill an argument might be made that the word referes to a claim for which an application for patent has been filed. We believe this meaning was not intended and that the proper reference is to valid claims existing on the 1973 date. It should be noted that the mere filing, of a notice of location under State law does not necessarily indicate that the claim is valid.

6. Page 11, line 8, delete the words "and patents to mining claims".

The deletion of these words in this provision of the bill will leave no doubt that the bill does not purport to constrict the rights of any prior patentees under the mining laws with respect to the use of the surface of the patented lands. It could not do so in any event, without provision for just compensation. A similar provision with respect to subsequent patentees is contained in other provisions of this subsection, so these words serve no useful purpose.

7. Page 11, line 11, insert the words ", subject to valid existing rights," between the words "hereafter" and "all".

date of this act shall convey [illegible] to mineral deposits [illegible] that all patents issued after the effective tion to the United States of all title to the surface of the lands must be subject to "valid existing rights". The owner of a valid mining claim perfected under the mining laws prior to the effective date of this act has already acquired a possessory title to the surface of the land and any patent issued on such a claim after the effective date of this act must convey title to both the land and mineral deposits therein, unless provision is made for just compensation. See Solicitor's Opinion, M–36467 (August 28, 1957).

8. Page 12, line 6, insert the following after "1973":

"Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the provisions of this subsection."

In order for the bill to constrict the rights acquired by a mineral patentee of a mining claim located subsequent to the effective date of this Act, it must likewise constrict the rights acquired under such locations, which this amendment will do.

9. Page 14, line 14, delete "either (1)"; and on lines 17 through 19 delete "(2) vacant, unreserved, and unappropriated mineral or nonmineral lands in the same State, not exceeding the value of the surrounded land, in exchange for the surrounded land", and insert the following: "the State-owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of the Interior or the Secretary of Agriculture".

In the case of State-owned land completely surrounded by land within a national forest wilderness area, the bill provides two alternatives: (1) The State may be given reasonable access rights, or (2) the State land may be exchanged for "vacant, unreserved, and unappropriated mineral or nonmineral lands in the same State".

The Department of the Interior now has authority to make such exchanges under the Taylor Grazing Act. The Department of Agriculture also has authority to acquire inholdings in exchange for national forest lands (act of March 20, 1922, 42 Stat. 465, as amended, 43 Stat. 1090; act of March 1, 1911, 36 Stat. 961, as amended, and other acts applicable to specific areas).

We believe that the language of the bill under consideration should refer to both of these existing authorities. The present law would not be changed.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., December 9, 1963.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives.

DEAR MR. CHAIRMAN: This is in reply to your request of November 22, 1963, for a report on 19 listed bills, all of which are to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

This Department has consistently recommended the enactment of wilderness legislation insofar as it would affect the national forests, beginning with such legislative proposals in the 85th Congress and

furthered by our strong support of legislation introduced in the 87th Congress with a few suggested amendments. We strongly support the objective of providing statutory status for wilderness-type areas.

We recognize that H.R. 9162, H.R. 9163, H.R. 9164, and H.R. 9165, which are identical, represent the combined result of intensive efforts for a solution to provision of statutory protection for wilderness areas and provision for orderly expansion of the system.

We believe that H.R. 9162, H.R. 9163, H.R. 9164, and H.R. 9165 would be progressive legislation for goals long sought. Therefore, insofar as they would affect this Department, we recommend favorable action on them by your committee provided they are amended as hereinafter recommended.

The sentence starting in line 8 on page 5 would deal with the status of primitive areas as they exist on the date of the act or as modified "during the 10 years after the enactment of this Act or until such time as an Act of Congress with respect thereto has become effective." This language could be construed as meaning that after 10 years following the date of the act primitive areas could no longer be administered as such by the Secretary of Agriculture unless an act of Congress with respect thereto had become effective before the expiration of the 10 years.

We have previously expressed our support for provisions which would have made the primitive areas a part of the wilderness system and which would have provide for their review and action, or opportunity for action, both by the executive branch and the Congress as to their continued administration as a part of the system. The treatment of primitive areas has been one of the major issues with respect to wilderness legislation. We now agree with the provisions of these bills that would provide for the review of the primitive areas and for their designation as wilderness areas and their administration as a part of the wilderness system only if so provided by an act of Congress. These provisions would provide an orderly arrangement.

The national forest lands which are now classified as primitive areas have been so classified and have been administered as primitive areas since 1939 or earlier. We do not believe it should be required that these areas would cease to be administered as primitive areas without consideration of the facts relating to the particular areas that would be so affected. These facts would be ascertained in the review provided for such areas and could be considered in connection with the recommendations which would be required to be submitted as to each such area. We, therefore, recommend that the sentence beginning in line 8 on page 5 be deleted.

Another provision on which we wish to comment for purposes of clarification is that in section 5(b) concerning ingress or egress to privately owned lands and property rights. We understand that the reference in lines 4 and 5 on page 15 to "other such areas similarly situated" refers to other surrounded areas of private holdings within wilderness areas, and that this reference does not compare the surrounded areas of private holdings within wilderness areas to private holdings surrounded by Federal lands which are not in wilderness areas.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

CHARLES MURPHY.

Washington, D.C., October 31, 1962.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to H.R. 295, H.R. 930, H.R. 991, H.R. 1023, H.R. 1114, H.R. 2001, H.R. 2530, H.R. 2880, H.R. 2894, H.R. 3878, H.R. 5246, H.R. 5808, H.R. 7877, H.R. 9070, H.R. 9101, H.R. 9162, H.R. 9163, H.R. 1964, and H.R. 9165, 88th Congress, bills to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes. The Department of the Army has been assigned responsibility for expressing the views of the Department of Defense on these bills.

These bills would establish a National Wilderness Preservation System to be composed of certain areas within the national forests, the national park system, the national wildlife refuges, and game ranges, and such additional public lands as may be included under procedures set forth in the bills, in order to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. The wilderness system would be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use and, in order to attain these objectives, the bills would impose certain restrictions on use and developments within the system.

Section 3 of the various bills sets out the areas of Federal lands in the national forests, park system and wildlife refuges and game ranges which are to be designated as part of the wilderness preservation system, or considered for such designation. In each bill a procedure is established that will assure review of every area by the Congress prior to its final inclusion in the wilderness system. Section 3(d)(1)(C) of H.R. 9070, H.R. 9101, H.R. 9162, H.R. 9163, H.R. 9164, and H.R. 9165 would also assure pertinent Federal agencies, including the Department of Defense, the opportunity to participate in such review. The Department of the Army, on behalf of the Department of Defense, favors such a provision. With respect to the other differing procedures established in the various bills, the Department of the Army defers to the Department of Agriculture and the Department of the Interior, as the Departments having the primary interest in this matter, for expression of views as to the merits of the proposed procedures.

The Department of the Army, on behalf of the Department of Defense, is in favor of the National Wilderness Preservation System designed, as it is, for the permanent good of the whole people. Insofar as defense interests are concerned, the President's authority, as stated in the special provisions of the bills, to establish and maintain facilities needed in the public interest is sufficient to insure that any specific areas within the wilderness system which might become necessary for the national defense would be readily available.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

administration's program, there is no objection to the presentation of this report for the consideration of the committee.

Sincerely yours,

CYRUS R. VANCE, *Secretary of the Army.*

FEDERAL POWER COMMISSION—REPORT ON H.R. 295, H.R. 930, H.R. 991, H.R. 1023, H.R. 1114, H.R. 2001, H.R. 2530, H.R. 2880, H.R. 2891, H.R. 3878, H.R. 5246, H.R. 5808, H.R. 7877, H.R. 9070, H.R. 9101, H.R. 9162, H.R. 9163, H.R. 9164, AND H.R. 9165, 88TH CONGRESS

Bills to establish a National Wilderness Preservation System for the permanent good of the whole people and for other purposes

The bills included in this report have been divided into five separate groups,[1] those in each being identical. All are known as the Wilderness Act and would establish, in accordance with certain prescribed procedures, a National Wilderness Preservation System of federally owned areas for the purpose of securing "for the American people of present and future generations the benefits of an enduring resource of wilderness." Representative bills from each groups will be discussed in the following order: H.R. 5808, H.R. 9162, and H.R. 295, H.R. 930, and H.R. 9070 considered as a unit.

H.R. 5808 (group 1)

H.R. 5808, introduced in the House on April 23, 1963, by Representative Wydler, is identical with S. 4 as passed by the Senate on April 9, 1963. The committee is referred to the Commission report on S. 4 which is printed in Senate Report No. 109, 88th Congress, 1st session, April 3, 1963, at page 31. This report was supplemented by a letter from the Chairman of the Commission to Senator Clinton P. Anderson, dated March 8, 1963, which is printed in hearings on S. 4 before the Senate Committee on Interior and Insular Affairs, 88th Congress, 1st session, February 28 and March 1, 1963, at page 274. There has been no appreciable change in the figures contained in the March 8, 1963, report with respect to the amount of licensed and potential kilowatts of capacity of hydroelectric sites located in primitive areas.[2]

This Commission's interest in the bill arises from the fact that it would set up a wilderness system embracing lands and powersites having existing and potential power value subject to the Commission's authority under part I of the Federal Power Act. Section 4(e) of the Power Act (16 U.S.C. 797) provides that licenses shall be issued within reserved lands of the United States "only after a finding by the Commission that the license will not interfere or be inconsistent with the purpose for which such reservation was created or acquired * * *." In addition, the licenses shall contain such conditions as are deemed necessary for the adequate protection and utilization of the reserved lands involved.

[1] Group 1: H.R. 5808. Group 2: H.R. 9162, H.R. 9163, H.R. 9164, and H.R. 9165. Group 3: H.R. 295 and H.R. 5246. Group 4: H.R. 930, H.R. 991, H.R. 1023, H.R. 1114, H.R. 2001, H.R. 2530, H.R. 2880, H.R. 2891, H.R. 3878, and H.R. 7877. Group 5: H.R. 9070 and H.R. 9101.

[2] Under the provisions of H.R. 9162 and H.R. 9070 an act of Congress is required to incorporate primitive areas within the wilderness system.

establishment and [illegible] of H.R. 5808 authorizes the [illegible] works, transmission lines, and other facilities needed in the public interest within specific national forest and public domain areas in the wilderness system "upon his determination that such use or uses * * * will better serve the interest of the United States and the people thereof than will its denial." Section 11 of the bill states that nothing therein "shall be construed as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act (16 U.S.C. 792–825r)."[3] Read together we interpret the bill as providing that the Federal Power Commission's jurisdiction to issue licenses authorizing the use of lands in the wilderness system for power purposes would not be affected, provided that the above-noted finding of consistency and noninterference with the purposes of the wilderness reservation can be made under section 4(e) of the Federal Power Act.

The bill would not incorporate in the wilderness system as of its effective date any lands presently within wildlife refuges or game ranges, but sets up procedures under which portions of such refuges and ranges may subsequently be incorporated into the system. It is assumed that when future recommendations are made to the Congress by the President to incorporate additional areas into the system, this Commission will be requested to advise the Congress as to the power potential affected by any such recommendations.

None of the bill's provisions would vacate or rescind any power withdrawal or power reservation created prior to its enactment. Furthermore, sections 3(a) and 6(b) which specifically preserve existing private rights in lands placed in the wilderness system, clearly would protect a licensee's right to continue the use of any such lands under authority of a license previously issued by the Commission.

As interpreted above, the Commission favors the purpose of H.R. 5808 to create a wilderness system and offers no objection to its enactment.

H.R. 9162 (group 2)

H.R. 9162, together with identical companion bills, H.R. 9163, H.R. 9164, and H.R. 9165, was introduced in the House on November 19, 1963. The Commission's interest in this bill is the same as its interest in H.R. 5808 discussed above.

The bill would not incorporate in the wilderness system as of its effective date any lands presently within wildlife refuges, game ranges, or primitive areas of national forests, but sets up procedures under which portions of such refuges, ranges, and primitive areas may subsequently be incorporated into the system. It is assumed that when future recommendations are made to the Congress by the President to incorporate additional areas into the system, this Commission will be requested to advise the Congress as to the power potential affected by any such recommendations.

None of the bill's provisions would vacate or rescind any power withdrawal or power reservation created prior to its enactment. Section 4(c) of the bill which specifically preserves existing private rights in lands placed in the wilderness system, clearly would protect a licensee's

[3] This provision was originally proposed by the Federal Power Commission as an amendment to the predecessors of this bill.

H.R. 9162 contains no provision comparable to section 11 of H.R. 5808.[4] The specific reference to power projects in section 4(e) of the bill which authorizes the President to permit certain power uses [5] in specific wilderness areas in national forests "upon his determination that such use or uses * * * will better serve the interests of the United States and the people thereof than will its denial," emphasizes the need for an adequate savings clause in order to safeguard the public interest in the development of waterpower resources on lands belonging to the United States through licenses under the Federal Power Act and to eliminate any misunderstanding that may otherwise exist. For the reasons given in the preceding report on H.R. 5808, the Commission recommends that the bill be amended by adding a new subsection 4(j) to read as follows:

"Nothing in this Act shall be construed as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act (16 U.S.C. 792–825r).

H.R. 295, H.R. 930, and H.R. 9070 (groups 3, 4, and 5)

H.R. 930 and H.R. 9070 are subject to the same deficiencies as H.R. 9162; namely, failure to include a provision comparable to section 11 of H.R. 5808 preserving the Federal Power Commission's jurisdiction to issue licenses authorizing the use of lands in the wilderness system for power purposes. All three bills include special provisions [6] comparable to section 6(c)(2), H.R. 5808, and section 4(e), H.R. 9162, authorizing the President to permit power uses in specific areas in national forests. The Commission's views on the necessity of the savings clause and the interpretation to be placed on the special provisions are fully stated in the above discussion on H.R. 5808 and H.R. 9162. In addition, H.R. 295 [7] and H.R. 930 are defective in that they make no provisions for public notice and hearing or for obtaining the views of interested Federal agencies with respect to the inclusion of lands within the wilderness system. For these reasons the Commission does not favor the enactment of H.R. 295, H.R. 930, and H.R. 9070 as now drafted.

FEDERAL POWER COMMISSION,
By JOSEPH C. SWIDLER, *Chairman.*

TREASURY DEPARTMENT,
ASSISTANT SECRETARY,
Washington, April 28, 1964.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for this Department's views on S. 4 (88th Cong., 1st sess.) entitled "An act to establish a National Wilderness Preservation System for the use and enjoyment of the American people. Section 8 of the bill would authorize the Secretary of the Interior and the Secretary of Agriculture to accept private contributions and gifts to be used to further the purposes of the act. The second sentence of section 8 would provide that—

"Any such contributions or gifts shall, for purposes of Federal income, estate, and gift taxes, be considered a contribution or gift to or for the use of the United States for an exclusively public purpose, and may be deducted as such under the provisions of the Internal Revenue Code of 1954, subject to all applicable limitations and restrictions contained therein."

Sections 170, 2055, and 2522 of the Internal Revenue Code now provide that gifts to or for the use of the United States for exclusively public purposes are allowable as deductions for Federal income, estate, and gift tax purposes. Therefore, there is no need for a specific provision in S. 4 to accomplish this result. The Department believes that tax provisions generally should not be incorporated in nontax legislation and that the incorporation is in S. 4 of a tax provision, which is not necessary to achieve the objectives of the bill, would provide an undesirable precedent in other areas.

In view of the foregoing, the Department recommends that the second sentence of section 8 be deleted from S. 4.

The Bureau of the Budget has advised the Treasury Department that there is no objection from the standpoint of the administration's program to the presentation of this report.

Sincerely yours,

STANLEY S. SURREY.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends enactment of H.R. 9070, as amended.

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[4] For a detailed description of the reasons in support of a savings clause, we suggest that the committee refer to and incorporate by reference our testimony at the hearings on S. 174 on this subject during the 87th Cong. (See hearings on Feb. 27, 1961, before Senate Committee on Interior and Insular Affairs on S. 174, 87th Cong., pp. 68–76; also hearings on May 8, 1962, before Subcommittee on Public Lands of the House Committee on Interior and Insular Affairs on S. 174, 87th Cong., pp. 1229–1242.)

[5] These power uses include the establishment and maintenance of reservoirs, water conservation works, power projects, transmission lines, and other facilities needed in the public interest.

[6] These provisions identified by section are H.R. 295, sec. 6(c)(2); H.R. 930, sec. 6(c)(2); H.R. 9070, sec. 4(d)(3) specifies "power projects."

[7] Sec. 11, H.R. 295, savings clause, is identical to sec. 11, H.R. 5808.

Union Calendar No. 679

88TH CONGRESS
2D SESSION

H. R. 9070

[Report No. 1538]

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 1963

Mr. SAYLOR introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

JULY 2, 1964

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

~~SHORT TITLE~~

~~SECTION 1. This Act may be cited as the "Wilderness Act".~~

~~WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY~~

~~SEC 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands desig-~~

nated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

DEFINITION OF WILDERNESS

(b) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation,

which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land and is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value. For the purposes of this Act wilderness shall include the areas provided for in this Act and such other areas as shall be designated in accordance with its provisions.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after the effective date of the Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same

force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

(b) In accordance with the time requirements of this subsection, the Secretary of Agriculture shall review each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" as to its suitability for preservation and shall report his findings to the President. Within three years after the enactment of this Act with regard to half of the total number of such areas, and within two additional years with regard to the remaining such areas, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or declassification

as "primitive" of each area on which review has been completed, together with maps and definition of boundaries: *Provided*, That the President may, as a part of his recommendations, propose alteration of the existing boundaries, recommending the elimination and declassification as "primitive" of any portions not predominantly of wilderness value, and recommending the addition of any contiguous area of national forest lands predominantly of wilderness value. Each such recommendation of the President shall become effective only if so provided by an Act of Congress, and each such primitive area shall continue to be administered by the Secretary of Agriculture as on the date of this Act until Congress has acted on a recommendation of the President regarding the area, as provided in this subsection, or until Congress has determined otherwise.

(c) In accordance with the time requirements of this subsection the Secretary of the Interior shall review all roadless portions comprising five thousand or more contiguous acres of parks, monuments, and other units of the national park system, and such portions of, or roadless islands within, wildlife refuges and game ranges under the jurisdiction of the Secretary of the Interior on the effective date of this Act and shall report to the President his recommendations as to the suitability of each such portion for continued preservation as wilderness. Within three years after

~~the enactment of this Act with regard to half the total number of such areas and within two additional years with regard to the remaining such areas, the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the designation as wilderness of each such portion for which review has been completed, together with maps and definitions of boundaries. Each such recommendation shall become effective only if so provided by an Act of Congress, and each such portion shall continue to be administered by the Secretary of the Interior as roadless until Congress has acted on a recommendation of the President regarding the area, as provided in this subsection, or until Congress has determined otherwise.~~

~~(d) (1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—~~

~~(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;~~

~~(B) hold a public hearing or hearings at a location~~

or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(d) (2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and

public hearing or hearings as provided in subsection (d) of this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective only in the same manner as provided for in subsections (b) and (c) of this section.

USE OF WILDERNESS AREAS

SEC. 4. (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thye-Blatnick Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and

the Humphrey-Thye-Blatnik-Andresen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

(3) The designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.). All accommodations and installations within any national park or monument shall, furthermore, be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural condition.

(b) Except as otherwise provided in this Act, each

agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use. Subject to the provisions of this Act, all such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within wilderness areas designated by or in accordance with this Act, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft, nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such areas.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture or the Secretary of the Interior deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the appropriate Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

~~(3) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.~~

~~(4) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That~~

nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

(5) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(6) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(7) to the extent that it is not incompatible with wilderness preservation, the Secretary of Agriculture shall, in national forest wilderness areas designated by this Act, permit hunting and fishing: *Provided*, That nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in wilderness areas.

STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

SEC. 5. (a) In any case where State-owned land is completely surrounded by lands designated as wilderness, such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unreserved, and unappropriated mineral or nonmineral lands in the same State, not exceeding the value of the surrounded land, in exchange for the surrounded land: *Provided, how-*

~~ever, That the United States shall not transfer to State any mineral interests unless the State relinquishes or causes to be relinquished to the United States the mineral interest in the surrounded land.~~

~~(b) In any case where privately owned lands, valid mining claims, or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.~~

~~(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture and the Secretary of the Interior are authorized to acquire privately owned land within the perimeter of any area designated as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress.~~

~~GIFTS, BEQUESTS, AND CONTRIBUTIONS~~

~~SEC. 6. (a) The Secretary of Agriculture and the Secretary of the Interior may accept gifts or bequests of land within or adjacent to wilderness areas under their respective jurisdictions for preservation as wilderness, and such land shall, on acceptance, become part of the wilderness area. Regulations with regard to any such land may be in accord-~~

~~ance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions consistent with such policy, as may be included in, and accepted with, such bequest.~~

~~(6) The Secretary of the Interior and the Secretary of Agriculture are each authorized to accept private contributions and gifts to be used to further the purposes of this Act. Any such contributions or gifts shall, for purposes of Federal income, estate, and gift taxes, be considered a contribution or gift to or for the use of the United States for an exclusively public purpose, and may be deducted as such under the provisions of the Internal Revenue Code of 1954, subject to all applicable limitations and restrictions contained therein.~~

~~ANNUAL REPORTS~~

~~SEC. 7. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.~~

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

SEC. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the

National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

DEFINITION OF WILDERNESS

(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of

land and is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas, except the San Gorgonio Wild Area, within the national forests classified at least 60 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modi-

fications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or nonsuitability for preservation as wilderness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as "primitive" within three years after the enactment of this Act, not less than two-thirds within seven years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as "wilderness" shall become effective only if so provided by an Act of Congress. Areas classified as "primitive" on the effective date of this Act shall continue to be administered

under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise; except that (1) the Secretary of Agriculture, with the approval of the President, may determine that any portion of such primitive areas may be declassified and administered as other unclassified national forest land and upon such determination shall cause the same to be done, but no such determination shall become effective with respect to any primitive area or any portion of a primitive area which exceeds five thousand acres until sixty calendar days (which sixty days, however, shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three calendar days to a day certain or an adjournment sine die) after the Secretary has notified the President of the Senate and the Speaker of the House of Representatives of his intention to declassify such primitive area or portion of a primitive area; (2) primitive areas, as constituted on the effective date of this Act, may be increased in size by the President at the time he submits his recommendations to the Congress provided no such area is increased by more than five thousand acres with not more than one thousand two hundred and eighty acres of such increase in any one compact unit; and (3) if it is proposed to increase any primitive area by more than five thousand acres or by more than one thousand two hundred and eighty

acres in any one compact unit such increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value.

(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review roadless portions of parks, monuments, and other units of the national park system, and portions of wildlife refuges and game ranges under the jurisdiction of the Secretary of the Interior on the effective date of this Act and shall report to the President his recommendations. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to each such portion for which review has been completed, together with maps and definitions of boundaries. Each such recommendation calling for a change in status shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be construed to lessen the present statutory authority of the Secretary of the Interior with respect to the maintenance of roadless areas within units of the national park system.

(d)(1) The Secretary of Agriculture and the Secretary

of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: Provided, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

(3) There shall further be included, with any recommendations to the President and to Congress with respect to the suitability of any area for preservation as wilderness, a concise statement identifying the specific values in the particular area that warrant the preservation of the area as wilderness, together with an identification of any other wilderness areas being preserved because of the presence of similar values, indicating the acreage of each such area and the total acreage of all areas preserved by reason of the presence of the same or similar values.

(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (d) of this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective only in the

same manner as provided for in subsections (b) and (c) of this section.

USE OF WILDERNESS AREAS

SEC. 4. (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead–Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thye-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of

any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no

commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in

consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1989, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as "wilderness areas"; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of

said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: Provided, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1989, except for the valid claims existing on or before December 31, 1989. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under

the provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1990, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established

prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

(5) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: Provided, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

(6) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(7) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(8) To the extent that it is not incompatible with wilderness preservation, the Secretary of Agriculture shall, in national forest wilderness areas designated by this Act, per-

mit hunting and fishing: Provided, That nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in wilderness areas.

SEC. 5. The Secretary of Agriculture shall identify, set aside, and classify for public recreational use an area of approximately three thousand five hundred acres within the San Gorgonio Wild Area on the San Bernardino National Forest that he finds most suitable for the installation and development of facilities necessary for skiing utilization. The Secretary shall, within three years after the enactment of this Act, review the suitability of the other lands within the San Gorgonio Wild Area as constituted on the effective date of this Act, for preservation as wilderness, identify those portions that he believes should be classified as "wilderness", and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendation with respect to the designation as "wilderness" or other reclassification of lands presently within the San Gorgonio Wild Area, submitting therewith maps and a definition of boundaries. Pending review by the Secretary of Agriculture, the submission of recommendations by the President, and action by Congress on the President's recommendations, the Secretary of Agriculture may: (1) continue to manage lands not required for public skiing within

the San Gorgonio Wild Area under regulations governing management of wild areas on the effective date of this Act; or (2) with the approval of the President, declassify any of the lands presently within the San Gorgonio Wild Area not suitable for management as "wilderness" and not required for skiing development and administer them as other unclassified national forest land.

STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

SEC. 6. (a) In any case where State-owned or privately owned land is completely surrounded by national forest lands within areas designated by this Act as wilderness, such State or private owner shall be given such rights as may be necessary to assure adequate access to such State-owned or privately owned land by such State or private owner and their successors in interest, or the State-owned land or privately owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of Agriculture: Provided, however, That the United States shall not transfer to a State or private owner any mineral interests unless the State or private owner relinquishes or causes to be relinquished to the United States the mineral interest in the surrounded land.

(b) In any case where valid mining claims, or other valid occupancies are wholly within a designated national

forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture is authorized to acquire privately owned land within the perimeter of any area designated by this Act as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress.

GIFTS, BEQUESTS, AND CONTRIBUTIONS

SEC. 7. (a) The Secretary of Agriculture may accept gifts or bequests of land within wilderness areas designated by this Act for preservation as wilderness. The Secretary of Agriculture may also accept gifts or bequests of land adjacent to wilderness areas designated by this Act for preservation as wilderness if he has given sixty days advance notice thereof to the President of the Senate and the Speaker of the House of Representatives. Land accepted by the Secretary of Agriculture under this section shall become part of the wilderness area involved. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time

of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

(b) The Secretary of Agriculture or the Secretary of the Interior is authorized to accept private contributions and gifts to be used to further the purposes of this Act.

ANNUAL REPORTS

SEC. 8. *At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.*

Union Calendar No. 679

88TH CONGRESS
2D SESSION

H. R. 9070

[Report No. 1538]

A BILL

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

By Mr. SAYLOR

NOVEMBER 7, 1963

Referred to the Committee on Interior and Insular Affairs

JULY 2, 1964

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1989. An act to authorize the government of the Virgin Islands to issue general obligation bonds.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 7405. An act to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock; and

H.R. 8821. An act to revise the provisions of law relating to the methods by which amounts made available to the States pursuant to the Temporary Unemployment Compensation Act of 1958 and title XII of the Social Security Act are to be restored to the Treasury.

ADJOURNMENT

Mr. TUTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p.m.) the House adjourned until tomorrow, Friday, November 8, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1357. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to require the inspection of certain towing vessels"; to the Committee on Merchant Marine and Fisheries.

1358. A letter from the Chairman, the Board of Foreign Scholarships, Department of State, transmitting the first report of the Board of Foreign Scholarships, pursuant to Public Law 87-256; to the Committee on Foreign Affairs.

1359. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a report covering personal property received by State surplus property agencies for distribution to public health and educational institutions and civil defense organizations for the period July 1, through September 30, 1963, pursuant to the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

1360. A letter from the Secretary of the Treasury, transmitting a report of operations by Federal departments and establishments in connection with the bonding of officers and employees for the fiscal year ended June 30, 1963, pursuant to the act of August 9, 1955 (6 U.S.C. 14); to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MURRAY: Committee on Post Office and Civil Service. H.R. 7381. A bill to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the uniformed services, and for other purposes; with amendment (Rept. No. 890). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 8135. A bill to provide for the establishment and administration of public recreational facilities at the Sanford Reservoir area, Canadian River project, Texas, and for other purposes; with amendment (Rept. No. 891). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs. H.R. 9009. A bill to amend further the Peace Corps Act, as amended; without amendment (Rept. No. 892). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. Report of the Special Study Mission to Southeast Asia (Oct. 3-19, 1963); without amendment (Rept. No. 893). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROTZMAN:

H.R. 9069. A bill to amend section 201 of the Antidumping Act, 1921, with respect to the determination of injury or threatened injury to an industry in the United States; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 9070. A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROYHILL of Virginia:

H.R. 9071. A bill to correct certain inequities with respect to the compensation of Government employees in positions incorrectly classified under the Classification Act of 1949; to the Committee on Post Office and Civil Service.

By Mr. DANIELS:

H.R. 9072. A bill to provide for the establishment of a Commission on the Improvement of St. Elizabeths Hospital; to the Committee on Education and Labor.

By Mr. LANKFORD:

H.R. 9073. A bill to permit certain lands in Prince Georges County, Md., granted to the State of Maryland for National Guard purposes to be used for civil defense purposes; to the Committee on Banking and Currency.

By Mr. PUCINSKI:

H.R. 9074. A bill to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROOSEVELT:

H.R. 9075. A bill to reduce the maximum workweek under the Fair Labor Standards Act of 1938, as amended, to 35 hours, and for other purposes; to the Committee on Education and Labor.

By Mrs. SULLIVAN:

H.R. 9076. A bill to provide for the striking of medals in commemoration of the 200th anniversary of the founding of St. Louis; to the Committee on Banking and Currency.

By Mr. COLLIER:

H.R. 9077. A bill to amend title I—Tariff Schedules of the United States, of the Tariff Act of 1930, as amended by the Tariff Classification Act of 1962 to correct certain inequities in the classification and duty provided for certain aluminum products, television picture tubes, and for other purposes; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 9078. A bill to amend the National Housing Act with respect to water and sewerage facilities and mortgage insurance for land development; to the Committee on Banking and Currency.

H.R. 9079. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

H.R. 9080. A bill to amend the Federal Water Pollution Control Act, as amended, to increase grants for construction of municipal sewage treatment works and provide financial incentives for construction projects conforming to comprehensive plans; to the Committee on Public Works.

By Mr. VANIK:

H.R. 9081. A bill to amend the Federal Food, Drug, and Cosmetic Act in order to protect the public health by preventing misuse of barbiturates, amphetamine, and certain other dangerous drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. KEOGH:

H.R. 9082. A bill to clarify the Renegotiation Act of 1951 with respect to its preemptive effect; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 9083. A bill to amend chapter 15 of title 38, United States Code, to revise the pension program for World War I, World War II, and Korean conflict veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CLEVELAND:

H.J. Res. 799. Joint resolution providing for the erection of a memorial statute to the late Dr. Robert H. Goddard, the father of American rocketry; to the Committee on Science and Astronautics.

By Mr. BRAY:

H.J. Res. 800. Joint resolution to establish the World War I Commemorative Commission; to the Committee on the Judiciary.

H.J. Res. 801. Joint resolution authorizing the continued shipment of the drug Krebiozen in interstate commerce in order to insure the continued availability of such drug for the treatment of patients now being treated with such drug and for terminal cancer patients; to the Committee on Interstate and Foreign Commerce.

By Mr. BOB WILSON:

H. Con. Res. 234. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 9084. A bill for the relief of Emanuel G. Topakas; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 9085. A bill to authorize the Secretary of the Interior to convey certain real

ADJOURNMENT

Mr. HAGAN of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore (Mr. DONATI). In accordance with House Concurrent Resolution 321, the Chair declares the House adjourned until 12 o'clock noon on Monday, July 20, 1964.

Thereupon (at 5 o'clock and 9 minutes p.m.), pursuant to House Concurrent Resolution 321, the House adjourned until Monday, July 20, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2257. A letter from the Secretary of the Treasury, Chairman, National Advisory Council on International Monetary and Financial Problems, transmitting a special report on U.S. participation in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank, by the Board of Governors of the Bank at its fifth annual meeting in April 1964 at Panama City, Panama (H. Doc. No. 316); to the Committee on Banking and Currency and ordered to be printed.

2258. A letter from the Secretary of Defense transmitting 25 reports covering 37 violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, Administrative Control of Appropriations within the Department of Defense, pursuant to section 3679(i)(2), Revised Statutes; to the Committee on Appropriations.

2259. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the fund for special operations of the Inter-American Development Bank"; to the Committee on Banking and Currency.

2260. A letter from the Comptroller General of the United States, transmitting a report relating to overcharges for aircraft products liability insurance under various contracts awarded to Pratt & Whitney Aircraft Division of United Aircraft Corp., East Hartford, Conn., Department of the Army; to the Committee on Government Operations.

2261. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to clarify the responsibility for marking of obstructions in navigable waters"; to the Committee on Merchant Marine and Fisheries.

2262. A letter from the Secretary of Commerce, transmitting the annual report on the relative cost of shipbuilding in the various coastal districts of the United States, pursuant to the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

2263. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens who have been found admissible to the United States, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

2264. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained therein was exercised in behalf of such aliens, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPINALL: Committee on Interior and Insular Affairs. H.R. 9070. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; with amendment (Rept. No. 1538). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELLIOTT: Committee on Rules. House Resolution 795. Resolution authorizing the Speaker of the House of Representatives to appoint a special committee to investigate and report on campaign expenditures of candidates for the House of Representatives; without amendment (Rept. No. 1539). Referred to the House Calendar.

Mr. ELLIOTT: Committee on Rules. House Resolution 799. Resolution for consideration of H.R. 3873, a bill to amend section 322 of the Public Health Service Act to permit certain owners of fishing boats to receive medical care and hospitalization without charge at hospitals of the Public Health Service; without amendment (Rept. No. 1540). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 10777. A bill to amend the act of March 3, 1901, relating to divorce, legal separation, and annulment of marriage in the District of Columbia; without amendment (Rept. No. 1541). Referred to the House Calendar.

Mr. WILLIAMS: Committee on Interstate and Foreign Commerce. H.R. 8068. A bill to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or seeing-eye dogs accompanying totally blind persons; with amendment (Rept. No. 1542). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 9995. A bill to amend the Policemen and Firemen's Retirement and Disability Act to allow credit to certain members of the U.S. Secret Service Division for periods of prior police service; without amendment (Rept. No. 1543). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interstate and Foreign Commerce. H.R. 9752. A bill to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam; with amendment (Rept. No. 1544). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 10683. A bill to permit officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia to reside anywhere within 25 miles of the District of Columbia; with amendment (Rept. No. 1545). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Ways and Means. H.R. 11622. A bill to permit the vessel U.S.S. *Alabama* to pass through the Panama Canal without payment of tolls; without amendment (Rept. No. 1546). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Committee on Rules. House Resolution 801. Resolution for consideration of H.R. 6793, a bill to amend the Securities Act of 1933, as amended, and the Securities Exchange Act of 1934, as amended, to extend disclosure requirements to the issuers of additional publicly traded securities, to provide for improved qualification and disciplinary procedures for registered brokers and dealers, and for other purposes; without amendment (Rept. No. 1547). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN:

H.R. 11893. A bill to authorize the mint to inscribe the figure "1964" on all coins minted until adequate supplies of coins are available; to the Committee on Banking and Currency.

By Mrs. SULLIVAN:

H.R. 11894. A bill to authorize the mint to inscribe the figure "1964" on all coins minted until adequate supplies of coins are available; to the Committee on Banking and Currency.

By Mr. ABBITT:

H.R. 11895. A bill defining the jurisdiction of the U.S. Supreme Court and all Federal courts inferior thereto, in certain instances; to the Committee on the Judiciary.

By Mr. ANDREWS of Alabama:

H.R. 11896. A bill to provide for a national referendum with respect to the Civil Rights Act of 1964; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.R. 11897. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK:

H.R. 11898. A bill to authorize the sale, without regard to the 6-month waiting period prescribed, of antimony proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

By Mr. DAVIS of Tennessee:

H.R. 11899. A bill relating to the tariff treatment of parts designed for use or chiefly used in agricultural or horticultural implements or in tractors suitable for agricultural use; to the Committee on Ways and Means.

By Mr. DOLE:

H.R. 11900. A bill to amend section 1033 of the Internal Revenue Code of 1954 to provide that stock and securities may be treated as replacement property for real property held for use in farming which is condemned by the United States in connection with the construction or enlargement of a reservoir; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 11901. A bill to amend title 18 of the United States Code to make the robbery of a cooperative bank which is a member of a Federal home loan bank a crime; to the Committee on the Judiciary.

By Mr. EVINS:

H.R. 11902. A bill to provide assistance for students in higher education by increasing the amount authorized for loans under the National Defense Education Act of 1958 and by establishing programs for scholarships, loan insurance, and work study; to the Committee on Education and Labor.

By Mr. FOUNTAIN:

H.R. 11903. A bill to limit jurisdiction of Federal courts in reapportionment cases; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 11904. A bill to amend and extend the National Defense Education Act of 1958; to the Committee on Education and Labor.

H.R. 11905. A bill to provide Federal assistance for faculty exchange programs of institutions of higher education, and for other purposes; to the Committee on Education and Labor.

By Mr. HALPERN:

H.R. 11906. A bill to mobilize the human and financial resources of the Nation to

Barry	Griffiths	Olsen, Mont.
Bates	Grover	O'Neill
Becker	Gubser	Osmers
Beckworth	Hagan, Ga.	Ostertag
Bell	Hagen, Calif.	Patman
Blatnik	Halpern	Patten
Boggs	Hanna	Pelly
Boland	Hansen	Pepper
Bolton, Frances P.	Harding	Philbin
	Hardy	Pike
Bolton, Oliver P.	Harrison	Pirnie
	Hawkins	Pool
Bonner	Hays	Powell
Bow	Healey	Price
Brooks	Henderson	Pucinski
Broomfield	Herlong	Purcell
Brown, Calif.	Hoffman	Reid, N.Y.
Brown, Ohio	Holland	Reuss
Broyhill, Va.	Horton	Rhodes, Pa.
Burke	Hosmer	Riehlman
Burkhalter	Ichord	Rivers, Alaska
Burton, Calif.	Joelson	Robison
Byrne, Pa.	Johnson, Calif.	Rodino
Byrnes, Wis.	Johnson, Pa.	Rogers, Colo.
Cahill	Johnson, Wis.	Rooney, N.Y.
Cameron	Karsten	Rooney, Pa.
Carey	Karth	Roosevelt
Casey	Kastenmeier	Rosenthal
Cederberg	Keith	Rostenkowski
Celler	Kelly	Roush
Clausen, Don H.	Kilgore	Roybal
	King, Calif.	Ryan, N.Y.
Cohelan	King, N.Y.	St Germain
Conte	Kirwan	St. Onge
Cooley	Kluczynski	Schwengel
Corbett	Kornegay	Scott
Corman	Kunkel	Senner
Daddario	Laird	Sheppard
Daniels	Libonati	Shipley
Davis, Ga.	Lindsay	Sibal
Delaney	Lipscomb	Sickles
Dent	Long, La.	Sikes
Denton	Long, Md.	Sisk
Derounian	McCulloch	Smith, Calif.
Diggs	McDade	Smith, Iowa
Dingell	McDowell	Stafford
Donohue	McFall	Staggers
Downing	McLoskey	Steed
Dulski	McMillan	Stephens
Dwyer	Macdonald	Stratton
Edmondson	Madden	Sullivan
Edwards	Mahon	Talcott
Elliott	Mailliard	Taylor
Ellsworth	Martin, Mass.	Teague, Calif.
Fallon	Mathias	Thomas
Farbstein	Matsunaga	Thompson, N.J.
Fascell	Matthews	Thompson, Tex.
Feighan	Michel	Tollefson
Finnegan	Miller, Calif.	Trimble
Fino	Milliken	Tuten
Flood	Minish	Udall
Flynt	Monagan	Ullman
Fogarty	Montoya	Van Deerlin
Fraser	Moore	Vanik
Friedel	Moorhead	Waggonner
Fulton, Pa.	Morgan	Watson
Fuqua	Morris	Watts
Gallagher	Morrison	Weltner
Garmatz	Morse	Westland
Gary	Morton	White
Giaimo	Moss	Whitener
Gibbons	Multer	Wickersham
Gilbert	Murphy, Ill.	Widnall
Gill	Murphy, N.Y.	Wilson, Charles H.
Glenn	Murray	
Gonzalez	Nedzi	Wright
Goodell	Nix	Wydler
Grabowski	O'Brien, N.Y.	Wyman
Gray	O'Hara, Ill.	Young
Green, Oreg.	O'Hara, Mich.	Zablocki
Green, Pa.	O'Konski	

NAYS—131

Abbitt	Chamberlain	Fisher
Abele	Chelf	Ford
Abernethy	Chenoweth	Foreman
Adair	Clancy	Fountain
Andrews, Ala.	Clark	Gathings
Ashbrook	Clawson, Del	Goodling
Ayres	Cleveland	Grant
Baker	Collier	Griffin
Baldwin	Colmer	Gross
Battin	Cramer	Gurney
Beermann	Cunningham	Haley
Belcher	Curtin	Hall
Bennett, Fla.	Curtis	Harsha
Berry	Dague	Harvey, Ind.
Betts	Derwinski	Harvey, Mich.
Bray	Devine	Hechler
Brock	Dole	Hoeven
Brotzman	Dorn	Horan
Broyhill, N.C.	Dowdy	Huddleston
Burleson	Everett	Hutchinson
Burton, Utah	Findley	Jarman
Jensen	Poage	Short
Johansen	Poff	Shriver
Jonas	Quie	Siler
Jones, Ala.	Quillen	Skubitz
Kyl	Randall	Smith, Va.
Langen	Reid, Ill.	Snyder
Latta	Reifel	Springer
Lennon	Rhodes, Ariz.	Stinson
McClory	Rich	Stubblefield
MacGregor	Roberts, Ala.	Taft
Marsh	Roberts, Tex.	Thomson, Wis.
Martin, Calif.	Rogers, Fla.	Tuck
Martin, Nebr.	Rogers, Tex.	Utt
May	Roudebush	Weaver
Meader	Rumsfeld	Whalley
Mills	St. George	Wharton
Minshall	Saylor	Whitten
Mosher	Schadeberg	Williams
Natcher	Schenck	Wilson, Bob
Nelsen	Schneebeli	Wilson, Ind.
Perkins	Schweiker	Winstead
Pickle	Secrest	Younger
Pillion	Selden	

NOT VOTING—54

Alger	Fulton, Tenn.	Miller, N.Y.
Arends	Halleck	Norblad
Ashmore	Harris	Olson, Minn.
Avery	Hébert	Passman
Baring	Holifield	Pilcher
Bass	Hull	Rains
Bennett, Mich.	Jennings	Rivers, S.C.
Bolling	Jones, Mo.	Ryan, Mich.
Brademas	Kee	Slack
Bromwell	Keogh	Staebler
Bruce	Kilburn	Teague, Tex.
Buckley	Knox	Thompson, La.
Davis, Tenn.	Landrum	Toll
Dawson	Lankford	Tupper
Duncan	Leggett	Van Pelt
Evins	Lesinski	Vinson
Forrester	Lloyd	Wallhauser
Frelinghuysen	McIntire	Willis

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Wallhauser.
Mr. Keogh with Mr. Tupper.
Mr. Brademas with Mr. Frelinghuysen.
Mr. Evins with Mr. Bruce.
Mr. Hull with Mr. Norblad.
Mr. Thompson of Louisiana with Mr. McIntire.
Mr. Willis with Mr. Knox.
Mr. Harris with Mr. Miller of New York.
Mr. Duncan with Mr. Bennett of Michigan.
Mr. Slack with Mr. Van Pelt.
Mr. Baring with Mr. Bromwell.
Mr. Bass with Mr. Kilburn.
Mr. Jennings with Mr. Avery.
Mr. Holifield with Mrs. Kee.
Mr. Landrum with Mr. Lankford.
Mr. Ryan of Michigan with Mr. Dawson.
Mr. Toll with Mr. Lesinski.
Mr. Fulton of Tennessee with Mr. Passman.
Mr. Rivers of South Carolina with Mr. Staebler.
Mr. Teague of Texas with Mr. Davis of Tennessee.
Mr. Leggett with Mr. Vinson.
Mr. Rains with Mr. Forrester.
Mr. Ashmore with Mr. Pilcher.

Mr. RHODES of Arizona changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. MURRAY, MORRISON, and CORBETT.

NATIONAL WILDERNESS PRESERVATION SYSTEM

Mr. ASPINALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union to consider the bill (H.R. 9070) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that Members speaking in general debate may have the privilege of including charts, tables, and other pertinent matter with their statements.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of H.R. 9070, with Mr. GARY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. ASPINALL. Mr. Chairman, I yield myself 14 minutes.

Mr. Chairman, it is with a deep sense of satisfaction and with great pleasure that I advise the House that H.R. 9070, the wilderness bill as amended by the Committee on Interior and Insular Affairs, is a compromise measure that I feel can be supported by everyone.

In bringing the bill to the floor today I take this opportunity to acknowledge the cooperation of those who have made it possible for this compromise to have been reached. I want the record to be clear that the Kennedy and Johnson administrations cooperated very closely with the chairman of your Committee on Interior and Insular Affairs now speaking.

President Kennedy was personally interested in the success of the movement for a compromise wilderness bill, which was assured just a few days before the tragedy of November 22, 1963.

So many others contributed to the development of the compromise that I could not possibly name and thank them all. I would be remiss, however, if I did not mention the cooperative spirit of the ranking minority member of the Committee on Interior and Insular Affairs, the gentleman from Pennsylvania [Mr. SAYLOR], long one of the leading advocates of wilderness preservation; the gentleman from Michigan [Mr. DINGELL], the gentleman from Nevada [Mr. BARING] who, as chairman of the Subcommittee on Public Lands, conducted the hearings on this legislation; and finally, those private citizens representing organizations interested in the use of national forests and other federally own lands, ranging from those who desire preservation of large areas in their natural state through those who seek recreation in these areas and to those whose livelihood depends on the availability of these public land areas.

There is no statutory authority at the present time to set aside and retain areas of federally owned lands in their natural state. However, since 1924 the Chief of the Forest Service and the Secretary of Agriculture have in one way or another set aside areas within the national forests for wilderness preservation. For the past

having wilderness values, only 26,455 acres are in the eastern States of North Carolina and New Hampshire, the boundary waters canoe area with 886,673 acres is in the State of Minnesota, and the remaining areas, aggregating 13.7 million acres, are in national forests carved out of the public domain in the 11 Western States.

Of the total of 14,617,461 acres, 5,477,740 acres are in 34 primitive areas and 9,139,721 acres are designated as "wilderness," "wild," and "canoe." Parenthetically, I note for the record that 2 years ago when our Committee on Interior and Insular Affairs was considering wilderness legislation there were only 6,822,400 acres of land designated as "wilderness," "wild," and "canoe" and that the increase of 2,317,321 acres that has taken place since then has been accomplished by the Department of Agriculture after coordination with the Committee on Interior and Insular Affairs. I am pleased to take this opportunity to once again thank Secretary of Agriculture Orville Freeman and Chief of the Forest Service Edward Cliff for their cooperation in bringing to our attention the proposed reclassification of primitive areas and proposed enlargements of wilderness and wild areas.

As a matter of fact, there have been many changes in these areas during consideration of the wilderness legislation by the committee, with the latest one taking place on Tuesday of this week when the Chief of the Forest Service modified the boundaries of the Mount Zirkel-Dome Peak Wild Area and changed its name to the Mount Zirkel Wild Area on 72,180 acres of land in the Routt National Forest, Colo., resulting in an increase of this wild area by 18,780 acres.

In order to bring the record up to date, Mr. Chairman, under leave previously granted. I include revised tabulations setting forth a summary of national forest areas administratively designated as having wilderness characteristics, one tabulation setting forth a summary by type of designation and the other tabulation setting forth a summary by States:

Summary of existing national forest wilderness-type areas

1. BY TYPE OF AREA

	Acres
Wilderness areas (18)	6,898,014
Wild areas (35)	1,355,034
Canoe areas (1)	886,673
Subtotal (54 areas)	9,139,721
Primitive areas (34)	5,477,740
Total wilderness-type areas (88)	14,617,461

2. BY STATES

State	Wilderness	Acres (net)		Canoe	Net
		Wild	Primitive		
Arizona	329,140	93,850	250,936		673,926
California	934,796	322,088	563,152		1,820,036
Colorado		274,859	554,283		829,142
Idaho	987,910		1,642,388		2,630,298
Minnesota				886,673	886,673
Montana	1,359,733	122,834	417,140		1,899,707
Nevada		64,667			64,667
New Hampshire		5,400			5,400
New Mexico	603,360	75,301	335,424		1,014,085
North Carolina		21,055			21,055
Oregon	412,958	249,889	86,700		749,547
Utah			240,717		240,717
Washington	458,105	125,091	801,000		1,384,196
Wyoming	1,812,012		586,000		2,398,012
Total	6,898,014	1,355,034	5,477,740	886,673	14,617,461
Total number of areas	18	35	34	1	88

H.R. 9070, as amended, gives statutory designation as wilderness to all but one of the areas classified by the Department of Agriculture or the Chief of the Forest Service 60 days before the effective date of the act as "wilderness," "wild" and "canoe" and provides for their inclusion in a national wilderness preservation system. The one exception, as I indicated earlier, is the San Gorgonio wild area in connection with which provision is made for future inclusion in the system of so much of the 33,898-acre tract as the Secretary of Agriculture determines to be feasible for preservation after utilizing 3,500 acres for development with commercial skiing facilities.

Excluding, for the time being, the entire San Gorgonio area, this means that we will by approving H.R. 9070 as reported to the House, authorize the start of a wilderness system comprised of 9,105,823 acres of land.

Under the bill, the 5,477,740 acres of primitive areas will be reviewed over a 10-year period as will all units of the national park system and the national wildlife refuge system. After review by the executive branch, reports will be made to Congress; but none of these added areas can be classified as wilderness and incorporated into the wilderness system except by act of Congress.

The bill as reported by the committee provides that, unless otherwise specifically authorized, no commercial enterprise and no permanent roads are to be allowed in the wilderness areas designated therein. Provision is, however, made for commercial services necessary "for activities which are proper for realizing the recreational or other wilderness purposes" of the areas involved.

Hunting and fishing would be permitted, and the jurisdiction of the States over hunting and fishing is specifically preserved.

In order to permit evaluation of the mineral potential in the wilderness areas designated by H.R. 9070, the committee has made these specific provisions:

First. Prospecting will be allowed at all times if conducted so as to be compatible with the preservation of the wilderness environment.

Second. The Secretary of the Interior is directed to develop a program for recurring surveys by the Geological Survey and the Bureau of Mines to determine whether there are any mineral values present.

Third. New mining activity, including all forms of prospecting and staking of claims, will be permitted for a 25-year period ending December 31, 1989, after which the lands involved will be withdrawn from appropriation under the mining laws. During the same 25-year period the lands will be open to mineral leasing.

In making these provisions for mineral exploration and development we have provided the necessary caution for the protection of the wilderness values in the areas. The bill provides that claims located during the 25-year period will entitle the claimant to only such use of the surface as is reasonably required in connection with mining operations, restoration of the surface would be required to the extent practicable after prospecting, location, and discovery work, and in those cases where claims go to patent, the Government would grant title only to the mineral deposits. I also point out that in order to make these provisions meaningful to the mining industry we have provided that the Secretary of Agriculture, while controlling ingress and egress must, where essential, permit the use of mechanized ground or air equipment.

I submit that we have established a reasonable balance in this bill, assured the long-range preservation of wilderness areas while at the same time permitting the continuance of essential uses and an inventorying of the mineral resources that may be present.

It is with confidence that the Members of the House will give this measure their overwhelming support that I submit it for favorable consideration and urge adoption of H.R. 9070, as amended.

Mr. Chairman, I now yield to my good friend, the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, I want to compliment the chairman of the full Committee on Interior and Insular Affairs for bringing out this bill. It has been a long, hard struggle. He has received much publicity, and while I think some of it has probably been unfavorable, I do not think that the gentleman was deserving of any unfavorable publicity. He has worked hard and long on

is legislation. I think this is legislation that this Nation needs.

Also, Mr. Chairman, I want to say that the gentleman from Colorado has maintained the position of the House whereby we have not delegated to bureaucracy, so to speak, the prerogatives of the House. Before any additional lands can be put into this wilderness area, each session of Congress will have an opportunity to look over this situation and see whether it is justified or not. Therefore, I think the gentleman has done a very, very fine job in maintaining the responsibilities that the Congress should assume in this legislation.

Mr. ASPINALL. I thank my colleague, and may I return the compliment to all of the members of the committee.

Mr. Chairman, I yield now to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I thank the gentleman for yielding, because I wanted to join other members of the committee in expressing to the great chairman of this committee the appreciation which I think all of us feel is in order for the chairman for his able leadership in connection with this legislation. I think other Members of the House would have to have sat in on some of the lengthy hearings in connection with this bill and would have to have been witness to the very difficult period of markup in connection with this bill in order to appreciate the Spartan-like qualities which the chairman of the committee exhibited in connection with this measure. I think he not only had a major role in coming out with a piece of legislation that accomplishes a great and constructive purpose but also in seeing that vital industries of the country, such as our mining industry and timber industry, are safeguarded in their legitimate desires to continue to prosper in areas of the country where they play such a major role in our economy.

Mr. ASPINALL. I thank the gentleman from Oklahoma for his commendatory remarks and I thank him for his constructive help which he has rendered not only on this legislation but all matters which come before our committee.

Mr. Chairman, I ask unanimous consent that the gentleman from Nevada [Mr. BARING] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BARING. Mr. Chairman, I am in favor of the wilderness bill as amended in the House Interior Committee and presented to the House of Representatives today, and I am unalterably opposed to further amendments to this legislation.

I never thought the bill was necessary in the first place, but since the wilderness issue developed into a controversial one I recognized the need for a thorough investigation of the subject.

As chairman of the Public Lands Subcommittee, I held extensive hearings and heard the views of over 600 witnesses, both in the field—Colorado, State of Washington, and Nevada—as well as here in Washington, D.C.

The Interior Committee reviewed all of this testimony and put a bill together which we think is a fair bill, fair to all factions concerned.

I am, personally, strictly for multiple use of the public lands but do realize the need for the preservation of some primitive areas; however, not at the cost of the local economy, such as the cattle business, lumber, and mining industries.

Therefore, I feel this wilderness bill before us today, which in the first place covers into the wilderness system initially a much smaller area than the legislation passed by the other body, and, secondly, does take into consideration the mining interests for a stated period of time, as well as grazing subject to reasonable regulations, as deemed necessary by the Secretary of Agriculture, is a good bill.

I sincerely urge passage of H.R. 9070, the wilderness bill, without further amendments.

Mr. SAYLOR. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in support of H.R. 9070, popularly referred to as the wilderness bill. I wish to take this opportunity to commend the efforts of the able chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL] in behalf of this legislation. I wish also to commend the fair and careful way in which the hearings on this measure were conducted by the distinguished chairman of the subcommittee, the gentleman from Nevada [Mr. BARING].

This measure has been before the committees of the House and the other body for a period of some 8 years. To the best of my ability to calculate there have been a total of 18 hearings; the first in the House was before the Subcommittee on Public Lands of the Interior and Insular Affairs Committee in 1957. In addition thereto, field hearings were held in Phoenix, Ariz.; Sacramento, Calif.; San Francisco, Calif.; Denver, Colo.; Montrose, Colo.; McCall, Idaho; Albuquerque, N. Mex.; Las Vegas, Nev.; Bend, Oreg.; Olympia, Wash.; Seattle, Wash.; and Salt Lake City, Utah.

From this citation of the long deliberation on this legislation, it may seem odd to begin my comments by stating what the measure before you does not do prior to urging your support for the important positive proposals that are now contained in the wilderness bill. Despite the long period of concern and study the Congress has given to the proposed wilderness legislation, I am surprise to find that there are still misunderstandings not only about what the measure purports to do but the imagined disasters that some feel will result if the bill is enacted. I think it might best serve the convenience of the Members if I can put to rest some of these misunderstandings.

First. The measure contains no authorization for appropriations to acquire any land and waters that are not now owned by the Federal Government.

Second. The measure establishes no new bureau, committee, and/or council.

Third. The bill does not disturb the jurisdiction of the various bureaus of Government such as the Forest Service, National Park Service, Bureau of Land Management, and the Fish and Wildlife Service. They will continue to have the same responsibility of administration under this proposal as they have at the present time.

Fourth. The bill does not lock up 1 billion acres, 776 million acres, and all of the national forests. While such allegations may be absurd to some, a number of people have from time to time mentioned each of these items as being a consequence of the present legislation.

The present legislation starts from the fundamental premise that there is a need to preserve some wilderness in the United States and that this should not disappear from our culture, as would seem to be inexorable without specific and special provisions for its maintenance. There is the general feeling that all land must be designated to some purpose or use. Supporters of wilderness legislation have never denied this but on the contrary have sought to emphasize that the enjoyment of wilderness areas is an important and significant use in our culture.

The country is endowed with the good fortune of having, now in Federal ownership, areas that meet the criteria for wilderness. In addition, we are genuinely indebted to the Forest Service for the special designation of wilderness areas and the careful manner in which administrative procedures have been worked out to protect these areas. It is only natural, therefore, that the measure before you starts at this point.

The question of course has been raised that if the Forest Service has been able to designate and maintain wilderness areas, what purpose can be achieved by this legislation? The immediate answer is that such areas now enjoy only the protection of the executive or more specifically the Secretary of Agriculture, who at some future time could by the stroke of the pen remove all or part of such areas from wilderness, if it should be so desired.

Wilderness is not only fragile but also perishable. The United States continues to be a fast growing Nation. The centers of population appear to be moving; development of every conceivable type possible, both public and private, races forward at breakneck speed. Therefore, it appears logical to presume that in the near future the administrators, whomever they may be or of whatever political persuasion, will find themselves beleaguered indeed to continue the same type of protection that they have historically been able to give. Once the stroke of the pen is made to change a wilderness area to one of development the act has a finality that enables few comparisons. This is not a construction mistake that can be changed after consultation with architect and engineer. This is not a case of wasting money on a private or public venture that did not result in the planned-for event. This is an act that once done is done forever. No amount of exhortation, soul searching, self-criticism, or scientific application can turn the area back to wilderness. Therefore, it is deemed advisable

that these remaining areas be given the statutory protection that can only be afforded by the act of law.

There are those who contend that this constitutes locking up resources for time immemorial, which might well operate to a serious disadvantage for the entire country. The Members of this body know full well that this is not possible under our form of government. If an emergency arises based on a need that seems greater than that specified in this bill, then of course the procedure for enacting subsequent legislation is always the prerogative and responsibility of the Congress. If this legislation is passed into law, there can be no secret covenants that might result in wilderness losses. There must be instead a public record and a full debate of the merits of acceding to the wishes of those who would urge us to use wilderness for other purposes and those who might insist upon the maintenance of the wilderness. Upon such issues the Congress will work its will. This procedure seems more than fitting in this instance because the abuses of wilderness have the finality of which I referred to previously and the change in its character must give the Congress, as representatives of the American people, the full opportunity to consider carefully any changes.

I would not be truthful with my colleagues if I said that H.R. 9070 is all that I would hope a wilderness bill to be. I hasten to add, however, that the debates upon the details of this measure have not been primarily over whether legislation should be enacted but more often than not it has been centered on the procedure of achieving wilderness protection and in what manner uses generally not compatible with wilderness can be handled. By and large, it is my firm conviction that the measure reported out by the committee will mean a significant step forward in protecting wilderness areas.

It is important to indicate precisely what is meant by wilderness areas. At the present time the national forests have four classifications in which the term wilderness is usually applied—wilderness areas as such, the wild areas, the boundary waters canoe areas, and the primitive areas. Wilderness areas involve areas of 100,000 acres or over. Wild areas are considered exactly the same with the exception that the total area would be less than 100,000 acres. The boundary waters canoe area is unique because of its specific location and which in part was arrived at by cooperation with the Canadian Government. The primitive areas are now administered exactly as the other areas to which I have just referred. The distinction between the primitive areas and the other three is that primitive areas have not been carefully studied as to specific boundary and complete identification.

With the enactment of this legislation the wilderness, wild, and canoe areas would be immediately protected by the force of this act from any changes except by an act of Congress. The primitive areas would not come under the protection of this legislation until a recommendation from the President for designation as wilderness shall be presented to the Congress and the Congress acts affirmatively. The measure specifies that the classification of areas now in primitive status will be classified within 10 years after the enactment of this act. Primitive areas shall continue to be administered under the present rules and regulations until Congress has determined otherwise, with the exception that the Secretary of Agriculture, with the approval of the President, can declassify or increase in size primitive areas. The increase is further modified in that it is limited to areas of less than 5,000 acres.

This act also seeks to preserve and designate those areas under the jurisdiction of the Secretary of Interior which meet the criteria for wilderness. Such areas would include roadless portions of the national park system and appropriate areas of fish and game refuges. These areas will not become a part of the wilderness system until they are so designated by the Secretary of Interior with the approval of the President and Congress acts affirmatively thereon. The bill provides such a determination be made within 10 years of the date of enactment of this act.

Mr. SCHWENGEL. Mr. Chairman, I make the point of order that a quorum is not present. The gentleman is making a very profound statement and is very well posted in this field. This is something that should be heard by all members of the Committee.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-nine Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 196]

Alger	Hanna	Pilcher
Arends	Harris	Powell
Ashley	Harrison	Rains
Ashmore	Hays	Reid, N.Y.
Auchincloss	Healey	Ryan, Mich.
Avery	Hébert	St Germain
Baring	Hull	Sheppard
Barrett	Jones, Mo.	Sibal
Barry	Kee	Skubitz
Bass	Kilburn	Slack
Bennett, Mich.	Kilgore	Smith, Calif.
Bolling	Kluczynski	Springer
Brademas	Landrum	Steed
Bromwell	Lankford	Taft
Buckley	Leggett	Teague, Calif.
Carey	Lesinski	Teague, Tex.
Celler	Lloyd	Thompson, N.J.
Davis, Tenn.	McIntire	Toll
Dawson	Macdonald	Tollefson
Diggs	Mailliard	Tupper
Duncan	Miller, N.Y.	Van Pelt
Everett	Morrison	Wallhauser
Evins	Nix	Willis
Goodell	Norblad	
Halleck	Passman	

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ROOSEVELT) having assumed the chair, Mr. GARY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 9070, and finding itself without a quorum, he had directed the roll to be called, when 354 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, I include specific tables indicating the location, areas, and classifications immediately following my remarks relevant to both the areas in the national forests and to the approximate areas as reported by the Secretary of the Interior.

	Gross acreages (see previous explanation)
ALASKA	
Mount McKinley National Park	1,939,493
Glacier Bay National Monument	2,274,595
Katmai National Monument	2,697,590
Aleutian Islands National Wildlife Refuge	2,720,235
Kodiak National Wildlife Refuge	1,815,000
Nunivak National Wildlife Refuge	1,109,384
Arctic National Wildlife Range	8,900,000
Clarence Rhode National Wildlife Range	1,890,000
Izembek National Wildlife Range	415,000
Kenai National Moose Range	2,057,197
Total	25,818,494
ARIZONA	
Grand Canyon National Park	673,575
Grand Canyon National Monument	198,280
Canyon de Chelly National Monument	83,840
Chiricahua National Monument	10,645
Organ Pipe Cactus National Monument	330,874
Petrified Forest National Monument	94,161
Saguaro National Monument	78,644
Wupatki National Monument	35,545
Cabeza Prieta Game Range	860,000
Kofa Game Range	660,000
Total	3,025,564
CALIFORNIA	
Kings Canyon National Park	454,650
Lassen Volcanic National Park	106,934
Sequoia National Park	386,550
Yosemite National Park	760,951
Death Valley National Monument	[1] 1,907,760
Joshua Tree National Monument	557,992
Lava Beds National Monument	46,238
Pinacles National Monument	14,497
Total	4,235,572
COLORADO	
Mesa Verde National Park	51,333
Rocky Mountain National Park	260,018
Black Canyon of the Gunnison National Monument	13,547
Colorado National Monument	17,692
Dinosaur National Monument	[2] 205,136
Great Sand Dunes National Monument	36,740
Total	584,466
FLORIDA	
Everglades National Park	1,400,533
GEORGIA	
Okefenokee National Wildlife Refuge	330,973
HAWAII	
Hawaii Volcanoes National Park	220,345
Haleakala National Park	26,403
Total	246,748

[1] 1,792,520 acres are in California; 115,240 acres are in Nevada.

[2] 152,159 acres are in Colorado; 52,977 acres are in Utah.

IDAHO	Gross acreages (see previous explanation)
Craters of the Moon National Monument	48,183
MICHIGAN	
Isle Royale National Park	539,338
MONTANA	
Glacier National Park	1,013,129
Fort Peck Game Range	950,827
Total	1,963,956
NEVADA [2]	
Charles Sheldon Antelope Range	544,525
Desert Game Range	2,188,415
Total	2,732,940

[2] Death Valley National Monument is partly in Nevada. See acreages under California.

NEW MEXICO	Gross acreages (see previous explanation)
Carlsbad Caverns National Park	49,448
Bandelier National Monument	30,703
White Sands National Monument	146,535
Total	226,686
NORTH CAROLINA AND TENNESSEE	
Great Smoky Mountains National Park	[4] 511,715
OREGON	
Crater Lake National Park	160,290
SOUTH DAKOTA	
Wind Cave National Park	28,059
Badlands National Monument	111,530
Total	139,589
TEXAS	
Big Bend National Park	708,221

[4] 275,332 acres are in North Carolina; 236,383 acres are in Tennessee.

UTAH [5]	Gross acreages (see previous explanation)
Bryce Canyon National Park	36,010
Zion National Park	147,034
Arches National Monument	34,010
Capital Reef National Monument	39,172
Total	256,226
WASHINGTON	
Mount Rainier National Park	241,782
Olympic National Park	896,599
Total	1,138,381
WYOMING	
Grand Teton National Park	310,350
Yellowstone National Park	[6] 2,221,773
Total	2,532,123
Total gross acreage	46,599,563

[5] Dinosaur National Monument is partially in Utah. See acreages under Colorado.

[6] 2,039,217 acres are in Wyoming; 151,068 acres are in Montana; 31,488 acres are in Idaho.

Wilderness areas

State, name, and date established as primitive area	Date established	National forest	Net area (acres)
Arizona:			
Mazatzal (1932)	1940	Tonto	205,000
Superstition (1939)	1940	do	124,140
Total			329,140
California:			
John Muir (1931)	1964	Inyo	502,978
		Sierra	
		Sequoia	
Marble Mountain (1931)	1953	Klamath	213,283
Minarets (1931)	1963	Inyo	109,484
		Sierra	
Yolla Bolly-Middle Eel (1931)	1956	Shasta-Trinity	109,051
		Mendocino	
Total			934,796
Idaho: Selway-Bitterroot [1] (1936)	1963	Clearwater	987,910
		Nez Perce	
		Bitterroot	
Total			987,910
Montana:			
Anaconda-Pintlar (1937)	1962	Beaverhead	157,803
		Bitterroot	
		Deerlodge	
Bob Marshall (1931-33)	1940	Flathead	950,000
		Lewis and Clark	
Selway-Bitterroot [2] (1936)	1963	Bitterroot	251,930
		Lolo	
Total			1,359,733
New Mexico:			
Gila (1933)	1953	Gila	438,360
Pecos (1933)	1955	Santa Fe	165,000
		Carson	
Total			603,360
Oregon:			
Eagle Cap (1930)	1940	Wallowa	216,250
		Whitman	
Three Sisters (1937)	1957	Deschutes	196,708
		Willamette	
Total			412,958
Washington: Glacier Peak	1960	Wenatchee	458,105
		Mount Baker	
Total			458,105
Wyoming:			
Bridger (1931)	1960	Bridger	383,300
North Absaroka (1932)	1951	Shoshone	359,700
South Absaroka (1932)	1951	do	505,552
Teton (1934)	1955	Teton	563,460
Total			1,812,012
Wilderness total			6,898,014

[1] Also shown in Montana.
[2] Area also shown in Idaho.

Wild areas

State, name, and date established as primitive area	Date established	National forest	Net area (acres)
Arizona:			
Chiricahua (1933)	1940	Coronado	
Galiuro (1932)	1940	do	18,000
Sierra Ancha (1933)	1951	Tonto	55,000
			20,850
Total			93,850
California:			
Caribou (1931	1961	Lassen	19,080
Cucamonga (1931)	1956	San Bernardino	9,022
Domeland	1963	Sequoia	62,121
Hoover (1931)	1957	Toiyabe	42,800
		Inyo	
Mokelumne	1963	Eldorado	50,400
		Stanislaus	
San Gorgonio (1931)	1956	San Bernardino	33,898
San Jacinto (1931)	1960	do	20,565
Thousand Lakes (1931)	1955	Lassen	15,695
Total			253,581
Colorado:			
La Garita (1932)	1961	Gunnison	49,000
		Rio Grande	
Maroon Bells, Snowmass (1933)	1956	White River	66,100
Mount Zirkel-Dome Peak (1931)	1949	Routt	53,400
Rawah (1932)	1953	Roosevelt	25,579
West Elk (1932)	1957	Gunnison	62,000
Total			256,079
Montana: Gates of the Mountains	1948	Helena	28,562
Total			28,562
Nevada: Jarbidge	1958	Humboldt	64,667
Total			64,667
New Hampshire: Great Gulf	1959	White Mountain	5,400
Total			5,400

Wild areas—Continued

State, name, and date established as primitive area	Date established	National forest	Net area (acres)
New Mexico:			
San Pedro Parks (1931)	1940	Santa Fe	41,132
Wheeler Peak	1960	Carson	6,051
White Mountain (1933)	1957	Lincoln	28,118
Total			75,301
North Carolina:			
Linville Gorge	1951	Pisgh	7,655
Shining Rock	1964	do	13,400
Total			21,055
Oregon:			
Diamond Peak	1957	Deschutes	35,440
		Willamette	
Gearhart Mountain	1943	Fremont	18,709
Kalmiopsis	1946	Siskiyou	78,850
Oregon—Continued			
Mount Hood (1931)	1940	Mount Hood	14,160
Mount Washington	1957	Deschutes	46,655
		Willamette	
Mountain Lake (1930)	1940	Winema	23,071
Strawberry Mountain	1942	Malheur	33,004
Total			249,889
Washington:			
Goat Rocks (1931)	1940	Snoqualmie	82,680
		Gifford Pinchot	
Mount Adams	1942	do	42,411
Total			125,091
Wild total			1,173,475

Boundary waters canoe area

State, name, and date established as primitive area	Date established	National forest	Net area (acres)
Minnesota:			
Caribou Division	1948	Superior	36,059
Little Indian Sioux Division	1939	do	64,117
Superior	1936	do	786,497
Total			886,673
Boundary total			886,673

Primitive areas

State, name, and date established as primitive area	Date established	National forest	Net area (acres)
Arizona:			
Blue Range [1]	1933	Apache	180,139
Mount Baldy	1932	do	7,400
Pine Mountain	1933	Prescott	17,445
		Tonto	
Sycamore Canyon	1935	Cococino	45,952
		Kaibab	
		Prescott	
Total			250,936
California:			
Agua Tibia	1931	Cleveland	25,995
Desolation Valley	1931	Eldorado	41,343
Devil Canyon-Bear Canyon	1932	Angeles	35,267
Emigrant Basin	1931	Stanislaus	97,020
High Sierra	1931	Sierra	13,000
		Sequoia	
Salmon Trinity Alps	1932	Shasta-Trinity	223,300
		Klamath	
San Rafael	1932	Los Padres	74,458
South Warner	1931	Modoc	68,870
Ventana	1931	Los Padres	52,769
Total			632,022
Colorado:			
Flat Tops	1932	White River	117,800
Gore Range-Eagle Nest	1933	do	61,204
		Arapaho	
San Juan	1932	San Juan	238,080
Uncompahgre	1932	Uncompahgre	53,252
Upper Rio Grande	1932	Rio Grande	56,600
Wilson Mountains	1932	San Juan	27,347
		Uncompahgre	
Total			554,283
Idaho:			
Idaho	1931	Boise	1,224,576
		Challis	
		Salmon	
		McCall	
Salmon River Breaks	1936	Bitterroot	216,870
	1963	Nez Perce	
Sawtooth	1937	Boise	200,942
		Challis	
		Sawtooth	
Total			1,642,388
Montana:			
Absaroka	1932	Gallatin	64,000
Beartooth	1932	Custer	230,000
		Gallatin	
Cabinet Mountains	1935	Kaniksu	89,900
		Kootenai	
Mission Mountains	1931	Flathead	73,340
Spanish Peaks	1932	Gallatin	49,800
Total			507,040
New Mexico:			
Black Range	1933	Gila	169,196
Blue Range [2]	1933	Apache	36,598
Gila	1933	Gila	129,630
Total			335,424
Oregon: Mount Jefferson	1933	Deschutes	86,700
		Mount Hood	
		Willamette	
Total			86,700
Utah: High Uintas	1931	Ashley	240,717
		Wasatch	
Total			240,717
Washington: North Cascade	1935	Mount Baker	801,000
		Okanogan	
Total			801,000
Wyoming:			
Cloud Peak	1932	Bighorn	137,000
Glacier	1937	Shoshone	177,000
Popo Agie	1937	do	70,000
Stratified	1932	do	202,000
Total			586,000
Primitive total			5,636,510

[1] Area also in New Mexico.
[2] Area also in Arizona.

Mr. Chairman, I will in the course of consideration of this legislation seek amendments to which I now urge colleagues' attention and I shall discuss them at the appropriate time. The is to exclude the authorization of area in the San Gorgonio wild area, secondly, I shall ask the deletion the authority of the Secretary of culture to declassify primitive areas. latter instance would simply leave primitive areas in their present state l Congress has made a final determination as to their suitability for wilderness classification.

Mr. ASPINALL. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I want to thank the distinguished chairman of the Interior and Insular Affairs Committee, the gentleman from Colorado [Mr. ASPINALL], and the leader of the minority in the committee, the gentleman from Pennsylvania [Mr. SAYLOR], for the work they have done in making possible this action by the House today. We now are drawing to a conclusion of careful study that the committee of the House have given the wilderness bill through a period of 8 years, both here in Washington and in the many field hearings throughout the West.

We now have the opportunity to pass a wilderness bill that will represent a highly reasonable approach to the objective of preserving certain parts of this nation as wilderness. The measure before us embodies provisions that have come out of study and evaluation of our objectives in terms of the needs that have been defined by conservation groups as well as the commodity users of resources who have been critical of certain of the provisions of earlier wilderness measures.

Mr. Chairman, I am encouraged by the efforts of this committee and its leaders in bringing our deliberations to a productive conclusion by reporting a bill that I feel will satisfy our need for effective wilderness protective legislation. The people in Michigan whom I represent have urged me to work for House passage of a sound wilderness bill. I am pleased today to give every possible assistance in our effort to secure passage of this vitally important conservation legislation and to support the adoption of amendments that will strengthen it in serving the important goals that it sets forth.

It was my privilege last November to introduce a revised version of the wilderness bill, H.R. 9162, which embraced amendments that were then suggested as a means of resolving the major differences that had grown out of discussions between sponsors of earlier wilderness bills and those who had opposed their passage. I was pleased to have had this part in the cooperative effort which cleared the way for hearings and the favorable action by the committee that brings us to this point today. At the time I introduced my revised bill I made clear that I wished to consider after possible amendments to this measure that might prove, in my judgment, to be desirable. I subsequently presented these to the committee during its hearings and I am pleased that the measure before us incorporates part of these strengthening features.

I shall not take time to emphasize the vital importance of this legislation which many of us regard, and President Kennedy described so aptly, as one of the most significant conservation landmarks of recent years. This measure has solid support from the present administration and our wilderness agencies and all of our major conservation organizations. People from over the entire Nation are urging its enactment. No single item of conservation legislation has received broader support or wider advocacy by our publicity and educational media including the press, radio, and television. The time has now come for us to reach agreement, to complete the resolution of our differences, and to pass a bill that will serve our country well in preserving our wilderness heritage.

This bill calls for inclusion of only the national forest wilderness and wild areas and the one canoe area in the National Wilderness Preservation System to be established upon its enactment. Other areas of Federal wilderness land—the national forest primitive areas, and areas of wilderness within the jurisdictions of the National Park Service and the Fish and Wildlife Service—would be added to the wilderness system only after careful reviews that call for field studies and hearings, and upon the recommendation of the President to the Congress. The Congress would then have to take affirmative and positive action in designating those wilderness units for inclusion in the National Wilderness Preservation System.

I was pleased to see that the bill before us—H.R. 9070—contains language to provide needed protection for the primitive areas while the administrative review of these areas is in progress and until Congress has acted to approve or reject the President's recommendation to Congress for each such unit. I very much regret, however, that the measure contains language that would authorize the Secretary of Agriculture to declassify any one of the remaining 30-odd primitive areas. While such action calls for approval of the President and 60 days notice to Congress, it seems wholly inconsistent with the requirements of the bill for congressional action in providing for any additions or withdrawals from the wilderness system. I, therefore, strongly support the amendments to eliminate this authority of the Secretary of Agriculture and thus leave to Congress the final decision as to the disposition that will be made of the 5 million acres of wilderness in the national forest primitive areas.

I wish to give my support to the amendment which will be offered today to eliminate the language in the bill that calls for the exclusion of the San Gorgonio wild area from the National Wilderness Preservation System in order to permit commercial ski development. To include this type of precedent-setting authorization in basic and far-reaching legislation of this importance, would be a tragic mistake. I certainly wish to add my voice to those who support the amendment to strike the language of the bill that would authorize commercialization of this irreplaceable unit of wilderness.

The Forest Service, the agency in whose jurisdiction the San Gorgonio wild area falls, has recently denied the scheme of the ski developers. Their plan calls for a 5,000-car parking lot, roads, hotels, trams, and other facilities in the heart of this unit where development would spell the end of a unique wilderness resource. The Forest Service has recommended alternative sites for the ski development that could better meet the needs of those who enjoy skiing without sacrificing an area which since 1931 has been protected as part of the national forest wilderness.

Skiers, of course, are welcome—as they always have been—to use the San Gorgonio wild area in its unspoiled, natural condition. They enjoy it now along with the tens of thousands of boys and girls who every summer tramp its expanses of unsurpassed alpine country. These young people, with conservationists throughout the Nation, do not want this area to be sacrificed to one recreational use—commercial skiing—at the expense of the year-round enjoyment by the thousands who visit the San Gorgonio each year.

I would express the hope also, Mr. Chairman, that mining provisions of this measure could be modified to reduce the period in which mineral development would be permitted in the national forest wilderness. Mining destroys wilderness and I would urge that the phaseout period for this use be reduced considerably from the 25-year period which is provided for in this bill before us.

As a reasonable compromise, my bill H.R. 9162, provided for 10 years of mineral exploration and development in wilderness of the national forests. I would prefer to see mining eliminated entirely in these areas, but the 25-year extension goes far beyond what I regard as a reasonable limitation.

Mr. Chairman, I believe this legislation will stand out through the years as one of the most far reaching and significant conservation measures enacted by the Congress in this century. It has been a pleasure to participate in its development and to play a part in this action of the House today which marks the culmination of long effort by the Congress and conservationists throughout our land.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may require to the gentleman from Pennsylvania [Mr. CURTIN].

Mr. CURTIN. Mr. Chairman, I am very much in favor of the purposes of this legislation. The establishment of a National Wilderness Preservation System is, to my mind, highly essential to the preservation of that segment of our background which is so rapidly disappearing. We have made advances in this program from the original establishment of primitive areas in our national forests in 1929. The advancement of the idea through such designations as "wilderness" areas, "wild" areas, and "canoe" areas through the years have

been helpful, but the legislation presently being considered is, to my mind, a very essential culminating step.

The wildlife, the forests, the lakes, the valleys, and the glades of our country have been repeatedly mentioned in song, prose, and poetry. All of us have favorite sections of this country where we can still enjoy primitive America. Unfortunately, however, the encroachments of civilization have tended to materially decrease our wildlife and to eliminate these natural wonders. What was once a forest may now be just a few sparse trees, and what was once a scenic wonder may now be a housing development, and many of the species of our once-plentiful wildlife can now only be found in zoological gardens.

Fortunately, however, it is not too late to save some of primitive America, principally within the confines of our national forests, and I feel that it is high time we do everything in our power to preserve what we still have left. The forests and the woodlands are needed for the preservation of our wildlife, and the purposes of this legislation is to keep intact what we still have of these wonders which were originally given us with such a lavish hand.

I, therefore, feel that H.R. 9070 is a real step forward in trying to save these things for the future enjoyment of those who come after us, as they were enjoyed in their entirety by our forebears, and, to a lesser degree, are enjoyed by ourselves.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Chairman, in the time that I have been a Member of Congress, many issues have been debated in this Chamber but to my mind there have been few of such vital concern to the American heritage as the issue before us today, the permanent preservation of remnants of our American wilderness.

Wilderness is part of our heritage and a continuing influence upon our thoughts and our desires, both as individuals and as a people.

We owe a great deal to the great American wilderness, economically and spiritually. It is therefore fitting that we as a people wholeheartedly support the proposition that some representative areas of this great country be preserved as a wilderness not for us alone but for those generations of Americans to come. Critics of wilderness preservation may say that such estheticism has no place in a 20th-century world. However, this may be said of everything and anything that an individual or a people set above price or commercial advantage.

I believe that it is time for this country to act to preserve the suitable remaining wilderness areas in our federally owned lands on a permanent basis by an act of Congress for all times.

Some of my colleagues may be wondering and skeptical of the wilderness preservation interest expressed by those of us who live in the heavily settled areas on the northeastern seaboard. The vast, eastern wilderness areas were lost some time ago. Lost perhaps because then there was always more wilderness to be had over the ridge to the west. Somehow, in the process, we ran out of space—there was not another ridge to cross and the wilderness was overrun and thereby destroyed forever. The scarcity of wilderness throughout the East and in other areas of our country are mute testimony to the urgency for acting as conclusively as possible to preserve the natural areas still in existence.

It is for these reasons that I urge the enactment of H.R. 9070. It is a bill which was sponsored by the distinguished ranking minority member of the House Committee on Interior and Insular Affairs. It is a bill which also follows the recommendations of the Eisenhower-appointed Outdoor Recreation Resources Review Commission which called for enactment of legislation "providing for the establishment and management of certain primitive areas as wilderness areas."

In conclusion, I would like to call to the attention of this body the widespread opinion throughout the country that Congress should take action to assure the permanent reservation of these areas. It is important that we, as a people, act to place our remaining wilderness areas above price, above commercialism, above exploitation for individual or special group advantage. We cannot afford the continuous destruction of this valuable resource that, once despoiled, can never be recovered.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may require to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, for some 8 years now I have been hoping that the House would have an opportunity to consider a wilderness bill. At long last, today, this wish is fulfilled and with the passage of this legislation an important step in the interest of conservation will have finally been achieved.

May I say that on one hand, I am especially gratified that this bill retains the power to extend wilderness areas in the legislative branch. This provision, I know, is not supported by many conservationists. But under our U.S. Constitution such power is assigned to the Congress and as with many constitutional responsibilities I have been opposed to delegating our authority and responsibility to the executive branch. So in all conscience I support Congress retaining its constitutional power.

On the contrary, however, in this measure the Secretary of Agriculture is delegated authority to declassify primitive areas. This would place undue power in the executive branch to open major areas to commercialization and, as I say, is contrary to my belief that this discretionary authority should not be so delegated. So if an appropriate amendment is offered as I understand it will be, I shall support retaining control over primitive areas in the Congress rather than giving the right to the Secretary of Agriculture to open up major primitive areas to commercialization. Congress should be the watchdog over the unique scenic wilderness for future generations.

Mr. Chairman, notwithstanding the desirability of adopting certain needed amendments such as this one, I think the bill is a good one and I am sure the American people have every reason to be indebted to its sponsors.

I support the bill and congratulate the committee for a job well done.

Mr. ASPINALL. Mr. Chairman, I yield such time as he may require to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, for all who love the great open spaces, and wish to preserve for succeeding generations of Americans the precious heritage of the wilderness, this is an historic day of legislative accomplishment. At long last I, with my colleagues, will have the opportunity of voting for a measure that will establish a national wilderness preservation system and protect our forests from the destruction that inevitably would descend upon them unless action in time were taken.

For me, Mr. Chairman, it is a day of happiness and I am sure my vote for the national wilderness preservation bill will please my constituents in the great Second District of Illinois. I do not believe there is a district in the United States that is more deeply interested in conserving our riches of nature. My mail has been large, very large, and responding to the wishes of my constituents and the impulses of my own nature, I have introduced legislation in the nature of that now under consideration at every session of the Congress of which I have been a Member. Two of the twenty-two bills considered by the committee and which were combined in the present H.R. 9070 were H.R. 2530 and H.R. 9164, which I had the honor and privilege of introducing and sponsoring.

As has been said, this is a compromise bill and it is a good bill. It does not do everything that I would wish, and it does more than some others would wish. But it does bring together on a bill all can support practically the entire membership of this body. I doubt that there will be few, if any, who cast negative votes.

Mr. Chairman, too much credit cannot be given the membership of the great Committee on Interior and Insular Affairs. It is one of the hardest working committees of the House, and while it is natural and desirable that there should be differences of opinion on details, this remarkable committee always can be depended upon to work out its differences and come up with programs everybody can accept and live with. My warmest congratulations to the chairman of the committee, the gentleman from Colorado [Mr. ASPINALL], to the ranking minority member, the gentleman from Pennsylvania [Mr. TAYLOR], and to all their teammates.

As a Member of the freshman class of the 81st Congress, I feel a reflected glory in the high accomplishments of the distinguished gentleman from Colorado [Mr. ASPINALL], who is the first Member of that class to attain the power and the prestige and the glory of the chairmanship of a major committee of the House of Representatives of the Congress of the United States. I can assure the gentleman from Colorado that the words of high praise of him voiced on both sides of the aisle today have been sweet

...c in the ears of his fellow freshmen ...e 81st Congress.

...r. ASPINALL. Mr. Chairman, I ...l 3 minutes to the gentleman from ...rado [Mr. ROGERS].

...r. ROGERS of Colorado. Mr. ...irman, I rise in support of the bill ... 9070. As I understand it will be in ...r upon its passage to substitute S. 4. ...re is in S. 4 section 6(c)(8) as fol...s:

...) Nothing in this Act shall be construed ...revent, within national forest and public ...ain areas included in the wilderness sys..., any activity, including prospecting, for ...purpose of gathering information about ...eral or water resources or to prevent the ...pletely subsurface use of such areas, if ...activity or subsurface use is carried on, ... manner which is not incompatible with ... preservation of the wilderness environ...nt.

...[.R. 9070 on page 26, section 4(d)(2) ... a provision which covers most of the ...ion that I read save and except that ...loes not take into consideration the ...surface use of the wilderness system. ...What I would like to know is this. If ...s goes to conference will the chairman ...this committee and his conferees take ...o consideration the possible subsur...e use in these wilderness areas?

...Mr. ASPINALL. Mr. Chairman, will ... gentleman yield to me?

...Mr. ROGERS of Colorado. I yield to ... colleague.

...Mr. ASPINALL. Mr. Chairman, ...mehow, I think it was inadvertent, we ...; out of our bill this phrase. We feel ...t the language in the bill properly ...otects what my colleague has in mind. ...an assure my colleague from Colo...o's First District that if the intent ...not there, as it was in the Senate bill ...this particular, I, for one, will be very ...d in conference to see to it that the ...medy is made. I feel sure, and I have ...n advised, that my colleague from ...nnsylvania [Mr. SAYLOR] feels the ...ne way I do about it.

...Mr. ROGERS of Colorado. I appreci... the information and I thank the ...ntleman very much.

...Mr. SAYLOR. Mr. Chairman, I yield ...minutes to the gentleman from Mon...a [Mr. BATTIN].

...Mr. BATTIN. Mr. Chairman, I would ...e to take this opportunity to thank ...rsonally the chairman of the full com...ttee, the gentleman from Colorado ...Mr. ASPINALL], and the ranking mem...r of the committee, the gentleman ...om Pennsylvania [Mr. SAYLOR].

...Of course, in the part of the country ...at I have the privilege to represent ...re in Congress we have a great interest ... what happens to public land for we ...ve a considerable amount of such ...operty in our State.

...When I was first elected to Congress ...d came here in 1961, I could see that ...ere was an almost impossible division ...d it appeared as far as wilderness ...gislation was concerned, between the ...fferent thoughts and philosophies, that ... legislation could pass the Congress.

...Mr. Chairman, I did not think I would ... here today speaking on behalf of this ...ll because I did not think it was pos...ble to weld all of these factions together and produce a piece of legislation that is acceptable, not only to the people who promote wilderness, but also to those who promote a multipurpose use of the systems of the great Federal lands in this country.

I represent a very large cattle-producing area which depends to a great extent upon grass from federally owned land for which they pay a lease or a rental fee. They find no objection to this bill, because it retains in Congress congressional control. The people who are involved with mining and oil exploration find this a good bill. It does justice to them and at the same time protects the needs of those who are primarily interested in wilderness and preserves these areas in the United States for the many people who love the great outdoors.

So, I would say to the chairman of the committee, the gentleman from Colorado [Mr. ASPINALL] and to the ranking Republican member, the gentleman from Pennsylvania [Mr. SAYLOR], you are both to be congratulated because you could not have produced this bill without a great deal of understanding, without a great deal of work and without a great deal of perseverance.

Mr. Chairman, I listened to the gentleman from Florida [Mr. HALEY] compliment the chairman of the committee, the gentleman from Colorado [Mr. ASPINALL] and his comment on the excessive and unfair criticism that had been leveled at the chairman by editorial writers and magazine writers throughout the country. It was unfair and I think the gentleman has proved its unfairness by the fact that the bill is here today being supported by the very groups that at one time or another were taking potshots at the chairman.

Mr. SHORT. Mr. Chairman, will the gentleman yield to me at that point?

Mr. BATTIN. I am happy to yield to the gentleman from North Dakota.

Mr. SHORT. May I join with the gentleman in commending the chairman of the Committee on Interior and Insular Affairs the gentleman from Colorado [Mr. ASPINALL] and the ranking Republican member the gentleman from Pennsylvania [Mr. SAYLOR] for doing such a remarkably good job in bringing out a bill that involved a lot of emotional feelings on the part of people on both sides of the issue with reference to the establishment of wilderness areas.

Mr. Chairman, the only additional thing that I want to inject here is the fact that the livestock industry across the country has now accepted this bill, without any reservation.

The chairman of the committee and the task force of the committee met with the livestock people over the country and with other people and apparently any fears that they may have had have now been clarified.

Mr. Chairman, the president of the American National Cattlemen's Association happens to be a next-door neighbor of mine from North Dakota and I know that the livestock people have no reservations about this bill.

Mr. Chairman, I believe it is rather important to inject into the RECORD the fact that this group which is perhaps as largely interested in the use of public lands as any, has no reservations about this wilderness bill now pending.

I thank the gentleman for yielding to me.

Mr. BATTIN. Mr. Chairman, I say in conclusion that certainly by throwing the bouquets to the chairman and the ranking member that by no means do we fail to recognize the efforts and hard work of the other members of the committee who have had to fight this battle and come up with a very workable and understandable bill.

Mr. Chairman, it is my opinion that the job they have done has been one almost impossible of solution. Gentlemen, the Members of the House and the people throughout the country thank you.

Mr. ASPINALL. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, although I did not introduce a wilderness bill in this Congress, I have in the past been one of the sponsors of this important and farseeing conservation legislation. Therefore I am delighted to have this opportunity to add my voice in its support, and I intend to cast my vote for its passage. I wish to commend the distinguished chairman of the Interior Committee, the gentleman from Colorado [Mr. ASPINALL], and all his colleagues, for their long and patient work in resolving the many problems that had to be met in devising a workable plan for saving our precious remnants of natural grandeur, while at the same time protecting the interests of all users of the public lands.

Our national park system and our national forests, Mr. Chairman, have been held up justly as conservation models for the world. The national park concept was born on this continent and it grew, as I believe this legislation has grown, out of the special feeling—a kind of inspiration to freedom, which our people have always drawn from the beauty with which the Creator endowed our land.

Much has been said and written of the recreation to be enjoyed in our wilderness areas. The hunting and fishing, the camping and pack trips, the hiking and canoeing, that can be done in areas where "man is only a visitor and does not remain"—all these experiences do have a special quality in big, wild, unspoiled country of the kind this bill is designed to protect.

But there are additional benefits to science and conservation in the preservation of wilderness. Here ecologists can study and measure the processes of nature as a check against man's artificial manipulation of his environment in other places. Sometimes man not only manipulates, he pollutes and contaminates. Sometimes the consequences are not always what man has calculated they should be. Many kinds of scientific research are impossible except in areas where nature's processes are kept as undisturbed as possible.

This bill will also yield important benefits in wildlife conservation. The grizzly bear and the mountain lion, both magnificent creatures of the wilderness, are unlikely to survive unless some siz-

able areas are saved for them. The California condor, one of the largest and rarest birds in the world, is utterly dependent upon wilderness that has been saved for it in the Los Padres National Forest in California. The bald eagle, our national emblem, the golden eagle, the much admired but rare sport fish known as the grayling, and many other species depend upon wilderness habitat.

Mr. Chairman, I support the bill. I would have preferred a less permissive section pertaining to mining, as I question that the national interest requires the operation of the mining law in these parts of the national forests for another 25 years. I am afraid that in the process, some of our best wilderness will be turned into nonwilderness.

I also think that a commercial ski center or development, as this bill would permit in one area, is inconsistent with the purposes of the legislation. While it affects only one area, I suggest this is a precedent that may return to haunt us.

But despite the reservations which I have just expressed, I believe this bill will go down in history as a milestone in conservation progress. It is a credit to all its sponsors. It proves that Americans can rise above and look beyond selfish ends and materials purposes. This is putting aside commercial considerations and saving some of the finest and most beautiful pieces of primitive America for the future.

Mr. ASPINALL. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman, if this Congress keeps up the way we are going I think we are going to be known as the "conservation Congress." In 2 weeks, when this bill passes today, and I am going to delay its passage for only 2 minutes, we will have enacted, two real landmark pieces of conservation legislation: the wilderness bill and the land and water conservation fund bill.

In my judgment every legislative body which has committees ought to have a chairman like the gentleman from Colorado [Mr. ASPINALL]. Of every thousand bills that are introduced in the House, more than 600 of them end up in his committee. He runs a fair committee, he runs a businesslike committee, he runs a committee that processes important legislation. It is a tribute to the national view he has taken of conservation problems that we have been able in this Congress to resolve some of these important issues. I want also to pay tribute to the gentleman from Pennsylvania, who has so ably and for so many years led the fight for wilderness preservation.

This wilderness bill is a compromise bill, but it is a good bill. It is a bill which we can take pride in telling our grandchildren about. One of the most significant things about our country is its dramatic population growth. In the year 2000 instead of the 190 million people we now have, we are going to have 340 million people the experts tell us. We are running out of land. What this bill will do is to set aside some of the choice, scenic areas of America to preserve them for generations to come.

It is a good bill, and I urge its support.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. RIEHLMAN].

Mr. RIEHLMAN. Mr. Chairman, I rise in support of this important legislation establishing a national policy for wilderness preservation.

This bill has been described as one of the most vital conservation measures ever to come before Congress. I am pleased to say also that it does not call for the outlay of more Government money.

It merely sets up a system by which existing Federal agencies will preserve wilderness values in the specified areas already under their jurisdiction.

This legislation will also set up orderly procedure for additions, deletions, or changes in the wilderness preservation system. There will be provisions for due notice and public hearings.

One of the fine provisions sets aside about 9 million acres of the national forest wilderness, wild and canoe areas for the National Wilderness Preservation System.

Also, about 5.6 million acres of primitive areas of the national forests and wilderness lands of park and wildlife refuge areas will be added during a 10-year review period. The review, appropriately, will be carried out by Congress periodically.

In earlier forms, this bill had been subject to some criticism. I am pleased to say, however, that now it will not, for example, conflict with established uses of parks, monuments, forests, or wildlife refuges.

Neither will it interfere with established practices, such as grazing.

And, it will not endanger existing private rights. On the contrary, it specifically safeguards them.

This bill, I am happy to say, will preserve for present and future generations, land in its original state to be used and enjoyed by all who are interested in outdoor life and conservation.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I would like to join in the commendations that have been made with reference to the chairman of our committee, the gentleman from Colorado [Mr. ASPINALL], and the ranking minority member of the committee, the gentleman from Pennsylvania [Mr. SAYLOR], for the initiative they have taken to bring this bill to the floor.

The purpose of this bill and the objective of those who have introduced wilderness bills in past sessions of Congress has been to establish by legislative action a firm reservation of these great remaining natural, scenic areas, so that they will remain inviolate in their present form for future generations to enjoy as we can enjoy them today.

The pressure in this country through the growth of population is becoming so tremendous upon these areas that unless firm legislative action is taken by this Congress there is inevitably going to be a continued reduction in this type of area, a reduction by roads, a reduction by improvements, a reduction by lumbering in areas that should not have lumbering in them, and in other ways through commercial resorts, that will reduce these areas so that we will reach a time when there will be no more wilderness areas of this type. Once that time is reached, it will be impossible to restore areas because once an area is destroyed in its natural beauty by a road that cuts down the side of a mountain, or if a beautiful forest that should be preserved is cut, you cannot restore that area in its natural form even within one generation.

Those of us who enjoy going out on hikes in areas where we cannot find a television set, where no telephone can reach us, would like to see the next generation and the generations to follow find such places. I can assure you that no matter how badly we feel we may need these areas, the generations to follow are going to need them even more desperately. In my own State of California, which now has 18 million people, within 20 or 30 years the population will double. Under the bill, according to my understanding, California will have the largest total acreage of wilderness area in the United States. But if we do not take action to preserve these wilderness areas, the pressure of 36 million people will cause many of those wilderness areas to be destroyed, cut into, and resorts put there, which would make it impossible for those in future generations to find the solitude, the peace and the quiet they may need so desperately when they want to get away from the pressures of civilization.

So this is the reason why those of us who have been interested in this subject, why the national conservation organizations have been working year after year to establish this wilderness system. Inevitably the pressure on a single man at an administrative desk who would have the right to declassify one of these areas might become too great in the future, and a legislative body of this type would be better adapted to resist this pressure. This primarily is the reason why this wilderness bill is brought out on the floor. I hope the House and Senate will pass the bill and the conferees will resolve the differences with rapidity, so that this bill can be signed and become law as soon as possible.

Mr. HALL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and four Members are present, a quorum.

Mr. ASPINALL. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Chairman congratulations are certainly due the Committee on Interior and Insular Affairs for bringing this legislation to the House for favorable action. Personally, I feel this legislation has been long needed. I first introduced legislation on the subject in 1959 and have had revised legislation pending in each succeeding Congress. With the passage of this legislation I believe this session of

ngress can properly claim credit for aking the greatest advances of any re- nt Congress in the field of conservation r future generations.

I wish to thank particularly the com- ittee chairman, the gentleman from olorado [Mr. ASPINALL], and his coun- rpart on the committee for the minority de, the gentleman from Pennsylvania Mr. SAYLOR], for their successful effort bringing this important legislation to e floor of the House for our consider- ion today. I strongly support its enact- ent and I would urge adoption of the nendments that are being offered to rengthen its wilderness-protective atures.

Through its establishment of a Na- onal Wilderness Preservation System, e excellent definition of wilderness that gives, and the clearcut procedures it ts up for adding wilderness of the prim- ive areas, park units, and wildlife refuge reas to the wilderness system, this meas- re promises to be recognized as one of e major conservation landmarks of re- nt decades. Through its passage, we ere today are making conservation his- ory.

The purpose of this measure is to afford rotection for our priceless wilderness eritage, a heritage that once destroyed an never be replaced. It is impossible o restore wilderness once it is gone. And n joining those who seek refinements in his bill to meet the wilderness preserva- ion objectives it sets forth, I would hope hat its provisions for safeguarding this eritage might be tightened.

I object strenuously to the language n this bill that would permit the Secre- ary of Agriculture to declassify our na- ional forest primitive areas and thus emove them from their present status n which their irreplaceable wilderness eatures have been preserved for us and he generations that follow. I wish to support the amendment that would trike this provision from the bill. In his way, only Congress would be vested with the authority of declassification that would permit removal of these units from protected status. Just as the meas- ure places securely in Congress' hands the responsibility for adding areas to the wilderness system, I want only the Congress to hold the authority to declas- sify these areas. There is no sound rea- son for us to relinquish to the Secretary of Agriculture the authority to declas- sify these units. Let these primitive areas remain in their present status and be protected as wilderness until Congress considers and acts upon them.

I also wish to support the amendment to eliminate language in the bill that calls for a skiing development in the San Gorgonio Wild Area. The intrusion of such commercial enterprise in a unit of the national forest wilderness, which has been protected since 1931, establishes a dangerous precedent. There can be lit- tle justification of such an action.

I would express my hope that the sec- tion of this measure that calls for min- ing in the national forest wilderness can be improved by shortening the period in which such activity would be allowed. Mining is incompatible with the wilder- ness preservation purposes of the meas- ure. It is my hope that this feature of the bill can be modified to provide better protection from mining encroachments for our wild areas.

Again I wish to commend the leader- ship of the committee and the sponsors of this legislation for their achievement in bringing this vitally important meas- ure before us in this its final stage of consideration before enactment. This day will long be remembered in the con- servation annals of our Nation.

Mr. Chairman, I yield back the bal- ance of my time.

Mr. SAYLOR. Mr. Chairman, I yield 10 minutes to the gentleman from Wash- ington [Mr. WESTLAND].

Mr. WESTLAND. Mr. Chairman, I would like to talk just a little bit about this legislation. I think first of all we could say that the period of gestation of this bill has been about 5 years at least. I have talked to several of my colleagues, several on our side, who were on this In- terior and Insular Affairs Committee as long as 5 or 6 years ago. They have told me how they remembered the beginning of wilderness legislation. This child, or this legislation, did not have a very easy birth. But it finally arrived with the consent of the parents. As a matter of fact, this is a bill that passed the Com- mittee on Interior and Insular Affairs unanimously and, yet, only as short a time as 2 years ago this bill was probably one of the most controversial pieces of legislation that the House of Representa- tives had considered. A lot of bitter words were exchanged. Views were com- pletely different on what the legislation should contain. Yet through debate and through real honest consideration, a little give here and a little give there, this committee came out with a bill that satisfies, I believe, everyone. When I say everyone, I mean people in the lumber industry. I mean people in the cattle industry and in the mining industry and in the recreation field and in the wilder- ness field. Even the ultra wilderness people have taken this bill as good legis- lation. And if this was not the best work I have ever seen in committee, then I will say I have never seen good work.

I, too, want to pay my eulogies to the chairman of the committee and to the ranking Republican member. But there is another fellow who I think deserves a great deal of credit for this bill being here on the floor under these conditions, and that is the gentleman from Nevada [Mr. BARING], who had some very strong views on this legislation but who in the interest of getting this bill before us gave a little bit and now feels that this leg- islation is acceptable.

Just this last winter a subcommittee went out to the Western States and held hearings where I think something over 500 or 600 witnesses appeared before the subcommittee of which I was a member to give their views. All the views were taken into consideration in the writing of this bill.

The district I represent contains all of the things that this bill is about. In my district I have a 900,000-acre national park. I have a 450,000-acre wilderness area. I have an 800,000-acre primitive area and I have three national forests or parts of two of them and one that is en- tirely included in my district. So I be- lieve I am qualified to talk about this kind of legislation. I think I know whereof I speak. As a youngster one of my first jobs was as a whistle punk at a logging camp when I was 16 years of age. I worked in the woods for many years to get enough money to provide an education for myself. I know what people in the lumber industry want. I know what fishermen and gunners want. I know what the people want who like to put a pack on their back and just plain go hiking.

Obviously it was not very easy to make these somewhat incompatible people all get together and support one piece of legislation, but it has been done.

This bill varies considerably from the bill which came to us from the Senate, known as S. 4. I hope that when it goes to conference this will be the bill which will finally go to the President. If I am a conferee on this measure I certainly shall remain steadfast with this legisla- tion, because we have gone through too much trouble and too much effort to do anything else than what is encompassed by this bill.

Again I compliment the chairman, the ranking minority member, and all the members of the committee. This is fine legislation, and I am pleased to be able to support it.

I yield back the remainder of my time.

Mr. ASPINALL. Mr. Chairman, I yield 3 minutes to the gentleman from Cali- fornia [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, I would like to congratulate and thank the distinguished chairman of the commit- tee, the gentleman from Colorado [Mr. ASPINALL], the ranking and dedicated minority member from Pennsylvania [Mr. SAYLOR], and their many able col- leagues for bringing this measure before us today.

This is a bill which can and should be improved, and at the appropriate time I will support amendments which I be- lieve will strengthen it. But more im- portant, this bill will realize a long- sought-after, a long-desired, and a long- deserved goal—the preservation of a sound and enduring system of wilder- ness—and I rise in its support.

Mr. Chairman, this Congress is in a position to do more for our all-too- rapidly diminishing wealth of natural re- sources than any other of our time. Last week this House passed the farsighted Land and Water Conservation Fund Act. Today we are presented with the oppor- tunity of preserving the vast scientific, recreational, and educational benefits of unspoiled wilderness for generations of Americans yet to come.

As this bill, which I have joined in sponsoring since coming to Congress, makes clear in its title, our rapidly ex- panding population, accompanied by in- creasing mobility and growing amounts of leisure time, is destined to occupy and modify all areas within our country not specifically designated for preserva- tion and protection in their natural condition. Without affirmative action, and action at this time, our few remain-

ing natural areas will not long be able to withstand this onslaught.

Yet this bill is clearly a modest and reasonable call to action. For there remains in the United States today 50 to 65 million acres of land which could conceivably become part of a national wilderness system. All of this land is already in national forests, parks, monuments, wildlife refuges, and game ranges.

This bill would set aside only about 9 million acres of this land at this time, with provision, after a 10-year review period, for inclusion of primitive areas of the national forests, and the wilderness areas of park and wildlife refuges.

This bill would not conflict with established uses of the parks, monuments, forests, or wildlife refuges.

It would not interfere with established practices, such as grazing.

It would not endanger existing private rights.

And, it does not call for money.

Rather, it would give statutory protection to existing wilderness areas. It would set up orderly procedures for additions, deletions, or changes, with provisions for public hearings and review by Congress.

For it must be remembered, that most of our wilderness areas today have been established by administrative action. And any of these areas could, therefore, be abolished or altered, without approval of the Congress or the public.

Mr. Chairman, we who have been striving for wilderness preservation have often been told that at best we are engaged in a rearguard, delaying action—that we cannot hope to see areas of wilderness last forever—that the best we can hope for is to slow down the relentless process of development and encroachment.

But today we can see a brighter future. Today, with this bill, we have the tools to preserve an irreplaceable resource. For wilderness once trammeled cannot be freed. Once lost it cannot be regained.

This bill can preserve the wilderness character of lands that will serve a vast range of consistent purposes, safeguarding these areas for the permanent good of the whole people.

It is an instrument of foresight, planning, and protection. It is an investment in the future of America. But we must act now, we must pass this bill today, or it will be too little and too late.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, it is with a feeling of real satisfaction that I can participate in the discussion of the wilderness bill here today. As a sponsor of the legislation, I thank the committee chairman, the gentleman from Colorado [Mr. ASPINALL], and our distinguished minority member, the gentleman from Pennsylvania [Mr. SAYLOR], for the work they have done to bring to a culmination this long effort in behalf of one of the most important items of conservation legislation ever considered by the Congress.

We have a special interest in this in Minnesota because of the boundary canoe areas in the northern part of the State. I have been in this area and have participated in the activities, partially, in which one can participate. I know of the utilization that comes in this area.

I have a close interest in this, also, because of the activities of the past 3 weeks. When the Congress recessed, getting ready for the Republican political convention, I took my family to the western part of the United States, to Wyoming and Montana, and we traveled over some of these areas. We went up to the mountains; we went sliding down glaciers; we caught some fish; and generally we saw how heavy is the utilization.

When I was out in that area, in the Grand Tetons, notice came that the 1 millionth visitor had traveled in the Grand Tetons this year.

One can see the tremendous increase in the use of wilderness areas and the out of doors by the American people.

We worked on this legislation for a long time.

I understand that the hearings before this committee this last April were the 18th that were conducted on wilderness bills since 1956. There have been thousands of pages of testimony put together and millions of words have been used by those who have commented upon this legislation. I believe never before in the history of our country has a measure affecting natural resources elicited such widespread interest and support as has this legislation. It has become a household word in the major newspapers, networks, and magazines, and we are now advocating this be passed. In the enactment today the House will have passed one of the most important conservation milestones. I think it will be comparable to the work that Teddy Roosevelt did some time ago. It will have the effect of protecting our wild areas within the federally owned forests, the wild river refuges, ranges, and national parks and monuments. Through the establishment of the national wilderness preservation system and the delineation of a national policy for wilderness preservation, with its definition of "wilderness," this bill gives a firm basis for the protection of our wild lands within Federal jurisdiction. The procedures which it established for adding areas to the system provide for careful review and participation by the interested public and the Congress. In this measure we have a basic piece of legislation that will well serve the American people by preserving for future generations this irreplaceable resource that has had such an important part in molding our culture and our Nation.

I might point out the work people who came before us did to set aside the Rock Creek Park running through the District of Columbia and the advantage to which it is utilized by this crowded city at this time.

I want to point out in my comments here there are some parts of the bill that I think are disappointing. I think the part which permits mining to be carried on in wilderness areas and forests for 25 years is too long a period of time. I hope we can reduce this period, and as far as I am concerned, there ought to be a complete elimination of mining in the wilderness areas, in my judgment, unless this is required in the national interest.

The provisions of this measure which call for the development of commercial skiing in the San Gorgonio Wild Area are also of deep concern to many conservationists in the country. The exclusion of this unique wild area from the wilderness system through the language that is in this basic and far-reaching legislation would set, I believe, a dangerous precedent as we are trying to make this historic step. This San Gorgonio Wild Area is used by thousands of visitors each year now, and these include skiers, who are welcome in the area. We are not concerned about making this a commercial development. There are tens of thousands of children who enjoy the wilderness trek in the San Gorgonio each year. More than two dozen youth and religious camps surround this area. These camps are dependent upon this area as a source of experience in outdoor and wilderness living. There is no other place nearby for the young people of the Los Angeles area to go for this kind of recreational opportunity.

I want also to register my objection to the language in this bill that would permit the Secretary of Agriculture to declassify our national forest primitive areas.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAYLOR. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. QUIE. This would authorize the Secretary to remove these units from their present protected status in which their wilderness features have been preserved through several decades. I strongly support the amendment that would strike this provisions from the bill. Thus, only Congress would be vested with the authority of declassification, and Congress alone could remove these units from protected status.

This measure places the responsibility for adding areas to the wilderness system securely in Congress hands. I think for that reason and as a matter of consistency, I feel that only Congress should hold the authority to declassify these areas. Such authority should not be relinquished by the Congress to the Secretary of Agriculture. I urge that we hold these primitive areas in their present status and that they be protected as wilderness until Congress considers and acts upon them.

Again I wish to compliment the committee for bringing this bill before us. It gives me great pleasure to support it at this time.

Mr. HALEY. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, bringing this bill to the floor of the House ends a 4-year experience for me on the Committee on Interior and Insular Affairs as a member of the subcommittee and a member of the full committee. I want at this time to say

ow much I enjoyed serving on that committee chairmanned by the very fine airman, the gentleman from Colorado Mr. ASPINALL], and by the gentleman om Nevada [Mr. BARING] as chairman the subcommittee. Also the minority nking member, the gentleman from ennsylvania [Mr. SAYLOR], who served oth on the subcommittee and on the ull committee with us was a very fair nd responsible member in putting this ll together.

Coming from an area such as the one at I represent we have much wilderess, wild and primitive areas at the resent time. Since the bill was under scussion California has added four new reas, two new wilderness areas and two ew wild areas. This bill will establish e start of a wilderness system in the nited States. I am very happy to see is done because there has been so much rgument as to what was in the wilderess bill that many people had a misonception of the bill itself.

With the start of this wilderness sysm throughout the United States I am re there will be many areas added in e very near future. I am certain that our State of California we will see any new areas added to the wilderness stem.

I want to say that the people in the ate of California very much support is bill. I want to say that I am in full pport of the bill as it comes from the mmittee. The bill left the committee th a unanimous vote, went to the Rules mmittee, and is now before us on the or for action. I ask your favorable pport for the bill as it was reported om the committee.

Mr. SAYLOR. Mr. Chairman, I yield ch time as he may require to the ntleman from California [Mr. DON H. AUSEN].

Mr. DON H. CLAUSEN. Mr. Chairan, I rise in support of this legislation d associate myself with my colleagues, gentlemen from California [Mr. HNSON and Mr. BALDWIN] in their marks.

Mr. Chairman, I rise in support of this islation designed to establish a Nanal Wilderness Preservation System. rther, I want to associate myself with remarks of my colleagues, the gentlen from California [Mr. BALDWIN, Mr. HNSON, and Mr. COHELAN], as we look to future, the conservation measures we opt today, in addition to the recently ssed land and water conservation fund should stand the Members of this h Congress in good stead for having t our responsibilities in this important d. Many well-deserved tributes have n directed toward the chairman, the ntleman from Colorado [Mr. ASPIALL] and the gentleman from Pennsylnia [Mr. SAYLOR], the ranking Republan, as well as all members of the Inor and Insular Affairs Committee. mold a consensus of opinion among committee members in this highly troversial matter certainly is worthy recognition and the American people this fine committee a debt of gratie. Again, I urge your support of this .

Mr. SAYLOR. Mr. Chairman, I yield 6 minutes to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Chairman, I have had the privilege of hunting and fishing in so-called wilderness areas, areas accessible only on foot or horseback. In the past, a comparatively few enjoyed this privilege. Better means of transportation, longer vacation periods, larger paychecks, and a snowballing interest in outdoor recreation have changed the picture considerably.

We spend millions to build art galleries where valuable works of art may be displayed and preserved for posterity.

Costly libraries house outstanding works of literature where they can be properly protected against the ravages of time.

Our Library of Congress houses priceless irreplaceable papers, manuscripts, and documents of every description where they will be available for unborn generations.

By modern methods, we record voices of our great singers and speakers which will live through the ages.

By an act of Congress the Department of the Interior is authorized to designate certain buildings as national historical landmarks.

Can we, or should we, do less for our irreplaceable heritage? Do we not have an obligation to posterity to pass on to it some natural environment as it existed when the Pilgrims first landed on these shores? Like many other Members who have been interested in adequate legislation to insure that coming generations of Americans will have an opportunity to see and know how parts of this country looked in its earliest day, I am happy to support the objectives of this bill.

Preservation of wilderness is a record of our society, for it was out of the wilderness of this continent and its abundance of timber, soil, water, wildlife, minerals, and other natural resources that this country and this society found the wherewithal to supply the free chosen wishes of its people. And like other treasures I have mentioned, wilderness areas have both a present and future use for our society. We need to preserve areas where people can study, hunt, fish, or merely observe and enjoy lasting examples of the things the development of this country and its society have largely destroyed. Unless we preserve the remnant areas of wilderness which we have in our national forests, parks, and wildlife refuges, the opportunity we have today—the opportunity to add undisturbed, natural land areas for future generations may soon be lost and with it the wilderness we cherish.

My State of Pennsylvania does not have any areas proposed for inclusions in this wilderness system. Pennsylvanians, however, are outdoor minded and appreciate the many values of wilderness areas, particularly in the preservation and production of wildlife. We love and appreciate birds, mammals, and fish.

History teaches us that some species of wildlife, such as the bobwhite quail, ringneck pheasant, deer, and several other species thrive in man's environment. Some species cannot adapt to man's environment. I am thinking of the whooping crane with a population of approximately 30, the mountain goat, bighorn sheep, and one of the most magnificent of all our North American animals, the grizzly bear. Do we want these species to go the way of the carrier pigeon, the heath hen, the American bison, and others?

Just recently each of you received a sizable list of birds and mammals from the Secretary of Interior which face extinction unless drastic action is taken. Given protection of national forest, national parks, and refuge areas, many species can probably be saved from extinction. The key deer of Florida is an example of what can be done if we are sufficiently interested and have the will to do it.

Development and resources use are essential to the national welfare. Public lands must be administered for maximum returns consistent with sound management practices. Today we are not talking about the millions of acres of public land on which there is multiple resource use. We are talking of the few acres of land on which wilderness preservation should be the dominant use.

Mr. Chairman, it would be tragic after all the years of sincere effort for H.R. 9070 to get this far and fail on final passage. We need to pass it today, refer it to a conference committee, and send it on its way to the White House. We should and dare do no less for posterity.

Mr. ASPINALL. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I am happy to stand here in support of this bill.

Mr. Chairman, I wish to congratulate the chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL], and to also congratulate the gentleman from Pennsylvania [Mr. SAYLOR] for the work that they have done in this field.

Mr. Chairman, the gentleman from Pennsylvania [Mr. SAYLOR] has long been the champion of wilderness legislation in the House of Representatives. Although he is the author of this bill, I introduced one in support of his bill.

Mr. Chairman, what we are striving to do today is to preserve for future generations the land as we inherited it from those who went before us.

Mr. Chairman, the burgeoning population which has hit this country makes it essential that we now set aside certain of these areas in their pristine form for the enjoyment of those who come after us.

May I say that civilizations have been lost where they have destroyed or allowed the destruction of their natural resources.

There is tradition in Spain that before the occupation of that country by the Moors for some 800 years you could travel from Madrid to Seville without getting out from under the shade of a tree. Today most of this is wasted desert.

We have seen lands denuded, land lost because we have not given it the care we should have. We seek now through this bill to preserve inviolate the beauti-

ful areas of this country for our enjoyment, and the enjoyment of those who come after us. It is a duty that we must face.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, it is a great pleasure for me to rise in support of this vitally needed legislation.

As one of those who has consistently supported conservation legislation in the past, and one who has introduced a wilderness bill (H.R. 10630) during this session, I feel that this Congress has a unique opportunity to make another outstanding contribution to the national welfare.

The phrase "for the permanent good of the whole people" contained in the precis of the bill is, I am certain, most applicable. According to the mail I have received from countless residents throughout western Massachusetts, there is complete agreement that the legislation is designed for the permanent good of the whole people.

Every segment of the population will reap untold benefits with the enactment of the bill. Both urban and rural residents can find that the areas designated as "wilderness" will be for their personal enjoyment and use. In setting aside federally owned areas and designating these areas as wilderness, the Congress is establishing an important national policy. This policy will make certain that natural resources of the country will be preserved. This is a major responsibility. It is an overdue responsibility.

Mr. Chairman, it is a unique period in the history of our country when we can have the opportunity of establishing not only guiding principles for the preservation of primitive units of America, but to designate such areas as an American heritage.

The opportunity is on a par with the acts which set up our national forests and established our national park system. In another sense, the Wilderness Act would be complementary to these.

The wilderness bill, a bipartisan measure, has been before Congress for almost 9 years. Although this bill has now reached the floor of the House for the first time, it has been debated in committee, heard in the field, discussed by Cabinet officers, recommended by the administration, and modified through compromise, until it is one of the most refined bills ever to come before this body.

The wilderness bill is a carefully thought out, long range, important measure which will provide balance for our human culture and stability for our society. For without wilderness, the source of our strength, we cannot balance our lives against the imbalances we inescapably create with the civilization which we find necessary.

What will the wilderness bill do? It will establish the preservation of wilderness as a national policy through congressional sanction. It relates only to federally owned land, now within national forests, national parks, and certain national wildlife refuges and ranges. It establishes no new authority or agency—it simply provides that the wilderness character of units within these areas shall be maintained for the public good. It establishes a procedure for maintaining these units. No extra costs are involved, no other land use is interferred with, and other programs are not sacrificed. It does not pose any economic threats.

H.R. 9070 is, and remains, a most important bill. It was a product of patient compromise and good will. It came out of committee with certain amendments, and some of these, I am sure, can be modified or eliminated to restore the original strength of the bill.

The amendment which eliminates the San Gorgonio wild area in California as a part of the wilderness system should be rejected. The San Gorgonio area was established in 1931 and classified as a wild area in 1956. To eliminate this already dedicated area because of pressure for a ski development would be unfair special interest legislation—like handing over a national park for a country golf club. Skiing is enjoyed in the San Gorgonio wild area now—that is, cross-country skiing, without commercial trappings. Ski lifts, access roads, concessions, and all which follows such developments, would destroy the San Gorgonio wilderness. It would be a dangerous precedent to allow the desecration or elimination of this area. I urge that language to authorize this be stricken from the bill.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Iowa.

Mr. KYL. Can the gentleman tell me how many acres of wilderness in California are included in this bill as reported?

Mr. CONTE. I do not have the figures. I imagine it is quite great.

Mr. KYL. It is extremely large, as a matter of fact, 1,820,000 acres.

Mr. CONTE. I realize this is a very small segment of that area.

I urge also that all language in the original H.R. 9070 which would protect wilderness units of the national parks and of the national wildlife refuges and ranges, be restored.

I am pleased to note the language in the measure which provides that each primitive area shall continue to be administered by the Secretary of Agriculture as on the date of the act until Congress has acted on a recommendation of the President regarding the area.

I strongly urge the elimination of language in section 3(b)(1) of the amended bill, on page 20, lines 3 to 17, inclusive, which would permit the Secretary of Agriculture to declassify a primitive area. This provision is in direct contradiction to the principle which the wilderness bill asserts—that the inclusion, addition, or elimination of a primitive area must have the sanction of Congress.

I urge the restoration of language which is in the original H.R. 9070 with respect to mining. The original language would permit prospecting within wilderness areas for the purpose of gathering information about mineral or other resources on a planned basis by the Geological Survey and the Bureau of Mines. It is my belief that the committee amendment which would allow mining to continue for 25 years would be inimical to the wilderness. Mining activity, with its attendant developments, is incompatible with wilderness. The report of the Outdoor Recreation Resources Commission shows that mining within wilderness areas has not been of major economic importance. We would do best to eliminate this provision, and enact this most essential legislation with strengthened provisions.

I also take this opportunity to commend the chairman of the committee for the tremendous work that he and his committee have done on this subject and the work that the gentleman from Pennsylvania [Mr. SAYLOR] has done in behalf of this bill during the many years it has been before their committee.

Mr. ASPINALL. Mr. Chairman, I yield 1 minute to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, I also want to complicate—compliment my colleagues on the committee and my chairman in particular and the members of the subcommittee. I think perhaps my first word might be taken correctly in that I think that is what some people are trying to do here today. We have heard several people talk about the possibility of amending this bill back to some original form or intent. I might assure my colleagues that this bill would not be before you today if the amendments that are proposed here would have been forced in committee.

My compliments should go beyond just the Members of this body, they should go to the people that appeared before the subcommittee in its field hearings, where an area of compromise was reached with the users, with the wilderness advocates, with the people that are directly connected in the wilderness plans today, whether it be for recreation and conservation or for the limited use of the wilderness for mining, grazing, and other uses.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may desire to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS. Mr. Chairman, I have looked forward to speaking in support of the wilderness bill and I urge its passage today. It is essential if future generations are to know the good life America affords today.

This wilderness bill provides that only the Congress can add to or make major modifications to the national wilderness system when it has been established with the effective date of this act.

It also provides that within a 10-year period the existing primitive areas may be added to the wilderness system on recommendation of the Executive, provided that the Congress passes an act in support of each such recommendation.

On the other hand, the bill provides, as an exception to the authority of the

islative branch, that the executive nch may declassify an existing primie area.

see no logic in an act which gives the islative branch half a loaf.

Let us remove this exception, and leave e primitive areas in protected status til Congress has a chance to pass upon e merits of each recommendation, ich must be made within the time edule provided.

Mr. ASPINALL. Mr. Chairman, I ld 3 minutes to the gentleman from ntana [Mr. OLSEN].

Mr. OLSEN of Montana. Mr. Chairn, I rise in support of the bill, H.R. 0, and I urge my colleagues to give it ir approval. I have always supported derness legislation and have introced bills of my own on this subject. I happy that today we will finally make s principle a part of the multiple-use nciple which we have followed in the of the people's lands. Conservation always wise use—multiple use. It enpasses consumptive use but it most rtainly encompasses nonconsumptive as well. The passage of this legislan will give complete legal status to the nciple of wilderness and nonconsumpe use of the people's public lands.

The bill will protect from destruction llions of acres of scenic wonderland. r my wife, my children, and myself, we ow these areas as vast forests, preitous peaks, great and really spacious ue skies, and shining mountains. at is from personal enjoyment. But know, too, there are other people who e equally glad about wilderness areas st because they know that they exist d dream that maybe someday they ill visit them. These areas that I speak I know to have the best use that they uld possibly have. Just as forest areas at are being harvested for lumber or her lands are being used for mining d have a restricted use, so should those eas that are particularly adapted to lderness use or nonconsumptive use be stricted and set aside for such exclue use.

I want to say I would hope that when e leadership on the part of the House es to conference with the other body at attention will be given to the fact at some of the wilderness areas that ve been recently created will not be cluded in this bill because of a 60-day nitation. I would hope particularly e Cabinet Wild Area in Montana will given wilderness status under this ll.

Finally, I wish to compliment the adership most highly for reconciling l of the conflicting forces that have en combating here on this legislation. e gentleman from Colorado, Chairan ASPINALL, has done an admirable acmplishment reconciling the respective terests of lumbering, grazing, and min g. Of course my interest in support wilderness is not completely satisfied, t this compromise is a truly great acmplishment.

I strongly recommend passage of H.R. 070.

Mr. SAYLOR. Mr. Speaker, I ask nanimous consent that the gentleman om Indiana [Mr. HALLECK] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HALLECK. Mr. Chairman, it is with an appreciation of this historic occasion that I rise in support of H.R. 9070, the wilderness bill. Passage of this bill and enactment of legislation for the preservation of federally owned wilderness areas will establish that it is the policy of the United States that the preservation and protection of some lands in their natural condition is desirable and necessary.

I recognize that the Department of Agriculture and the Forest Service in particular have been doing a good job in preserving wilderness areas of the national forests. They are to be commended for their actions and their diligence.

We have, however, Mr. Chairman, a responsibility in the Congress to enact legislation that establishes guidelines for management of federally owned lands in order to assure that future generations will have the opportunity of enjoying the benefits of an enduring resource of wilderness. Future administrators could rescind or modify actions taken by other administrators in establishing wilderness areas. In addition, aside from national forests, there is no firm administrative policy for the preservation of wilderness areas despite the fact that many areas of national parks, national monuments, wildlife refuges and game ranges should be immediately and permanently protected.

It is for these reasons that I welcome the assertion of congressional authority and responsibility and the establishment of a National Wilderness Preservation System. As I understand H.R. 9070, as amended, the wilderness system will be initiated with approximately 9 million acres of land which is a good start even if, in relation to the total that should be protected, a modest one.

Under the further provisions of H.R. 9070 during the next 10 years there will be reviews of primitive areas in national forests and also units of the national park system and national wildlife system to determine their suitability for preservation as wilderness and their inclusion in the wilderness system. I know that I express the hope of the majority of the Members when I urge the Secretaries of the Interior and Agriculture to diligently assume the task of reviewing these other areas and reporting to Congress through the President as soon as possible so that we may by the further action of this body grant permanent protection to those wilderness areas that should be protected.

Mr. ASPINALL. Mr. Chairman, I yield 1 minute to the gentleman from Hawaii [Mr. GILL].

Mr. GILL. Mr. Chairman, many of us are coming to realize that man's right to make his way on this earth does not include a right to spoil the land for future generations. This realization is beginning to appear in efforts to clean and prevent the pollution of our rivers and our air. We see it in attempts to repair the ravages of strip mining, to replant where the forests have been stripped from the mountains. We learned to our sorrow earlier in this century that to tear open the prairies, without careful plowing and planting of cover crops, can cost us the richness of our land. We are learning today that the right to subdivide a man's land and build thousands of acres of houses and streets should be coupled with a duty to plan properly, to plant, to leave open spaces where the people may breathe.

All of these realizations are becoming more intense with the incredible growth of our population. No longer can we hope that people and open areas will find some balance. The pressures are too great for commercial development, for the exploitation of resources, for the use of a river as a sewerline if you will, unless there is general agreement by all to desist and to protect our natural assets.

This is true of the so-called wilderness of the relatively untouched areas treated by this legislation. Unless we can agree now as to how they should be treated and protected they face inevitable destruction. This bill makes a start. Much of the area concerned has already been used in the sense that it has been prospected or in some cases cut over; much of it is left in present use such as grazing or in existing mining; it is hoped that these uses which are incompatible with wilderness status will be gradually phased out.

If one of the basic principles of this legislation is to protect the wilderness which is now in existence and to phase out incompatible uses, I find difficulty with two parts of the bill. One is the specific allowance of a nonexisting and incompatible use in San Gorgonio, and the second is the allowance of declassification of any primitive area by the Secretary of Agriculture. If we are trying to set boundaries of the wilderness by legislative action based on existing status and uses why should we make these two exceptions? I would support amendments to remove them.

With these exceptions I submit that our committee has arrived at a workable compromise in the long struggle for a wilderness system. The basic decisions are left with Congress. Improvements can be made over the years. We will have made a good start toward the preservation of our natural heritage.

Mr. ASPINALL. Mr. Chairman, I have no further requests for time.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Chairman, it is a rather fine day when difficult legislation like this finds 435 Members of the House of Representatives in agreement. There has been a lot of misunderstanding about wilderness areas in particular. The committee is to be commended for having found middle ground, and I believe firm ground, on which to build such legislation.

If I may have the attention of the chairman of the committee, I have made these remarks because I wonder if it is

the intention of the members of the committee having jurisdiction in the name of the House to hold firm in conference when this matter goes to conference.

Mr. ASPINALL. Mr. Chairman, if my friend from Washington will yield, it has always been my thought that the conferees from the House would hold as firmly as possible on matters under their jurisdiction in the conference.

My friend realizes, however, it will be a conference. Sometimes there is a question of playing back and forth a little bit. I hope my friend has confidence enough in the chairman of the committee having jurisdiction over this bill to know that he will stand as firm as he possibly can.

Mr. HORAN. I wish to say here and now that I have every confidence in the gentleman from Colorado. There have been actions by the other body, though, with which I did not agree, and which I would not like to see come out of conference and be enacted into law. It was in that regard I was wondering about the intention of the gentleman from Colorado when the bill goes to conference.

Mr. ASPINALL. If the gentleman will yield further, I shall stand just as firm as it is humanly possible for a Member of this body to stand on the House position on this legislation and on any other legislation.

I believe my colleague from Washington knows that there have been times when there have not been conference reports because of the position the gentleman from Colorado now speaking took in order to uphold the position of the House.

Mr. HORAN. Mr. Chairman, that entirely satisfies me. I have memories of how, during the past 2 or 3 years, the gentleman from Colorado has been castigated in the press for his position and his firmness in this matter. I know of his great convictions. For my own part, I feel them also.

I do want the gentleman from Colorado to know that I feel satisfied after this colloquy.

Mr. SAYLOR. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding.

I should like to ask the gentleman from Colorado a question. Do I correctly understand that no land can be acquired in any amount except upon the authorization and approval of the Congress?

Mr. ASPINALL. With the exception that there may be donations or contributions, the gentleman is right in his understanding. So far as taking land, in holdings or otherwise, the gentleman is correct.

Mr. GROSS. Without regard to the size of the tract?

Mr. ASPINALL. The gentleman is correct.

Mr. GROSS. On page 17 of the bill, near the bottom of the page, the language is as follows: "has outstanding opportunities for solitude or a primitive and unconfined type of recreation."

I wonder what "a primitive and unconfined type of recreation" might be. I trust this has nothing to do with topless bathing suits.

Mr. ASPINALL. Mr. Chairman, will my colleague from Iowa yield to me?

Mr. GROSS. Of course.

Mr. ASPINALL. I knew in some way or other my genial colleague would get some humor into this debate, and I am glad to add that I do not think this has anything to do with topless bathing suits, or anything like that at all, nor nudist camps, but it just simply means that there will not be any manmade structures about in order to embarrass and handicap the enjoyers of this particular area.

Mr. GROSS. I thank the gentleman for his lucid explanation.

Mr. ASPINALL. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I support this proposal.

Mr. Chairman, the wilderness preservation legislation we are debating here today is the end product of unceasing and concentrated effort which began in the 84th Congress.

In the space of time involved, 70 bills have been introduced in the Chambers of Congress. Numerous hearings have been held and from these hearings further refinements have been adopted. Finally, after a decade of debate, we have evolved in H.R. 9070 one of the most significant and farsighted pieces of resource conservation legislation developed in our time.

Thousands of Americans have long urged the Congress to work its will to establish a national policy and program to preserve for posterity a part of our unspoiled wilderness. The American people feel that the time has been too long delayed and that Congress should take positive action to assure the permanent reservation of suitable wilderness areas now.

By the enactment of the bill, we would bring about the establishment of a National Wilderness Preservation System of approximately 9.2 million acres of suitable wilderness lands—wilderness areas that currently are being administered as wilderness in our national forests. This bill would provide legislative authority for permanently maintaining these wilderness areas as wilderness for the benefit and enjoyment of all the American people.

In emphasizing, above all, the importance of preserving the wilderness areas in perpetuity on the public lands of this country, I do not wish to detract from the use of wilderness those recreational pleasures that go with it—of hunting, fishing, hiking, swimming, mountain climbing, camping, nature photography, and the general enjoyment of natural scenery and wildlife habitat.

In 1964, with our fast growing population in excess of 192 million, we, especially in the northeastern areas of the United States, are deeply aware of the disappearance of wilderness and other open space recreation resources. We are deeply aware of the rapidity, with which our land resources are being committed and developed to commercial uses. Opportunities to set aside and develop our lands for outdoor recreation uses are in many instances in danger of being lost forever. We must move with rapidity while there is yet time. Wilderness preservation is an essential part of an action program designed to secure permanent outlets for our outdoor recreation resource needs.

Wilderness recreation has values not present in any other type of recreation. Doctors have testified as to the therapeutic value of an experience in a natural area. Many witnesses in their pleas for passage of the wilderness bill have confirmed that both the intangible spiritual and therapeutic values and other benefits claimed for wilderness recreation are realities which greatly enrich the lives of those who experience them.

We should recognize that true wilderness is not a renewable resource. If these areas are not set aside and given permanent status and protection as wilderness by Congress, the influences of man are going to rapidly erode and consume all that we have.

Time is of the essence, for by the year 2000 there will be more than 300 million people in the United States competing for a share of our country's outdoor recreation facilities. We must act now to preserve these unique areas of remaining wilderness for the benefit of succeeding generations of Americans.

Mr. Chairman, I have received hundreds of letters from constituents in favor of the National Wilderness Preservation System legislation, and I have pointed out to members of the Committee on Interior and Insular Affairs the urgency in getting legislation through Congress in this session. The committee members have been most cooperative, and I want to commend Chairman ASPINALL and the members of his committee for producing this bill we have before us today. I hope that the legislation passes by an overwhelming margin.

Mr. ASPINALL. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, I am very pleased that Mr. ASPINALL's committee has brought this much-needed legislation before the House for further consideration.

The wilderness bill has long been described as the outstanding conservation legislation before Congress.

I support this bill in its objectives to establish a strong National Wilderness Preservation System.

I believe the amendment to withdraw the already-established San Gorgonio Wild Area for a commercial ski resort is inconsistent with the purpose of this basic legislation to preserve wilderness and should be eliminated from the bill. The people are permitted now to ski in the San Gorgonio Wild Area, and many thousands have been doing so.

It has rightfully, I think, been decided that Congress after proper study should determine which areas go into the National Wilderness System. Again, to be consistent, Congress should likewise determine which primitive area if any,

to be clasified, and thus removed
m consideration for the Wilderness
stem.
Therefore, the provision that author-
the Secretary of Agriculture to de-
ssify a primitive area should be strick-
from the bill. Congress should not
nquish its prerogative in this respect.
nother bad feature in the wilderness
before us today is the mining provi-
n. You cannot have mining in wilder-
s and still preserve wilderness. The
rpose of this legislation is to leave des-
ated lands for preservation and pro-
tion in their natural, unspoiled condi-
n and thus secure for the American
ple of present and future generations
benefits of an enduring resource of
derness. This section providing for
25-year period is much too long a
iod.
Mr. LIBONATI. Mr. Chairman, it is
h a deep feeling of satisfaction that
oin with the distinguished chairman,
gentleman from Colorado [Mr. ASPI-
LL] and his discerning Committee on
erior and Insular Affairs in support of
R. 9070, which has for its purpose a
-reaching proposal to assume juris-
tion by our Government over some
illion acres of the Nation's unspoiled
derness areas in order to preserve
ir natural state and prevent en-
achment.
The Federal Government now owns
ne 61 millions of acres of undeveloped
derness areas. The bill reserves to
Congress any future addition to pre-
ve other areas for this specific pur-
e. Under the Senate version of this
the Secretary of Interior is em-
wered to extend this coverage to other
ds held by the Government for their
servation as wilderness areas. The
use bill seeks to prevent the Secretary
Interior from exercising this power
reserving to the Congress the power to
end expansion control over wild areas.
The purpose of the act seeks to pre-
t exploitation of these lands by hu-
ns in our increasing population and
detrimental effects on these lands of
mechanical expansion. This act
rantees to this generation and future
erations of Americans the endur-
resources of the wilderness as well as
reat contribution to the enjoyment
its unimpaired future use for recrea-
nal purposes only experienced in such
as. The use must be protected by cer-
n standards of control or rules that
l protect and not defeat the public
rposes of recreational, scenic, scien-
, educational, conservation, and his-
ical uses.
minimum requirement of roads shall
built—but autos, motorboats, motor-
l equipment, landing aircraft, and
er form of mechanized transport,
uctures, or installations are barred
m such areas. The exception being
t where these uses are presently es-
lished, such may remain, under spe-
c restrictions of the Secretary of Ag-
ulture. Also as to safety control or
lth—fires, insects, and diseases—sub-
t to such conditions as the Secretary
Agriculture deems desirable.
Prospecting or the gathering of infor-
tion about minerals and other re-
sources is permitted if the preservation principle is respected.

Further consultations between the Secretary of the Department of the Interior and the Secretary of the Department of Agriculture for the surveying on a planned basis in such areas again consistent with the policy of preservation through the Geological Survey and the Bureau of Mines to determine mineral values. The results of such surveys shall be available to the public, the President, and the Congress. All laws on mining and mineral leasing shall be applicable to this act and with the further stipulation that the Secretary of Agriculture and the Secretary of the Interior have the power to make such reasonable regulations as deemed necessary to the preservation of the area. These individuals now enjoying certain rights, leases, and so forth, are protected under certain prescriptions in this act. The rights of the several States or State in wildlife or wilderness areas are also preserved—their responsibilities and jurisdiction remain intact under this act. State and private lands surrounded by wilderness areas are permitted reasonable ingress and egress to and from their lands. Also exchange of lands may be permitted—such as similar lands within the State owned by the Federal Government for land of like value held within the wilderness area.

Secretary of Agriculture may accept gifts or bequests of land within the wilderness areas. The Secretary of the Interior also may accept gifts or contributions from private persons to be used in furtherance of this act. Advance notice must be given to the President and the Congress within 60 days of the offer. A joint annual report must be submitted to the Congress through the President of the United States.

A consideration of other areas for inclusion as wilderness areas or abandonment of such lands now under act fitting other purposes shall be determined by both the Secretary of Agriculture and the Secretary of the Interior and their recommendation submitted to the President for a report to the Congress. This program can be instigated within 10 years of the act's enactment.

Chairman ASPINALL and his conscientious committee have spent years of study and research in this field—certainly such meritorious work cannot go unnoticed. The Congress and the American people are indebted to this intelligent committee and its splendid leader, Chairman ASPINALL, for this forward-looking legislation to protect our wildlife and wilderness areas. Generations of Americans in the future through this needed legislation will have preserved for them the lands of the wilderness to enjoy its great contribution to the recreational, educational, and scientific enjoyment of areas so protected. This act is far reaching in its effect upon the Nation's citizens and its blessings will be enjoyed by the whole population now and in the future by generations of Americans.

Mr. LINDSAY. Mr. Chairman, I rise in strong support of H.R. 9070, the wilderness bill introduced by my distinguished colleague from Pennsylvania [Mr. SAYLOR]. I have long advocated the passage of such a measure. This bill accomplishes the broad objectives of legislation which I introduced early in the 88th Congress—H.R. 7877—and this is substantially the same legislation which I recently supported in testimony before the House Interior and Insular Affairs Committee.

It is hard to exaggerate the importance and urgency of this measure, a measure which has been before the Congress 8 long years. During this time the bill's fortunes have alternately risen sharply and nosedived, it has been subjected to prodigious pressures from wide ranging sets of interests in American life. In light of this, I regard it remarkable that the bill before us today so successfully solves the problem of preserving our priceless wilderness areas. The bill is a fair compromise, although I have enthusiastically supported an amendment which will eliminate the Executive's discretion to declassify existing primitive areas. These areas must be preserved in their primitive state unless both the Executive and the Congress concur.

After 8 years of hard struggle, we must seize this opportunity to preserve our national wilderness system. We must pass this bill because each year a small but irreplaceable part of our wilderness is eroded away. Each year we have less wilderness left to preserve. And, as time goes by, the opportunity to save the wilderness evaporates.

Thus, the need for this measure—which would set aside 9.1 million acres into federally designated wilderness areas—is obvious. The Saylor bill is good for a number of reasons. For one thing the bill provides that within 10 years after its enactment the Secretaries of Agriculture and Interior shall review all primitive, park, and wildlife refuge areas and report to the President on the possibility of including additional areas into the National Wilderness Preservation System.

Also, and most important, the measure pinpoints final responsibility for wilderness areas in the Congress, where by the Constitution the responsibility must be. While the President can make recommendations to the Congress with respect to the creation of wilderness areas, no recommendation will become effective unless so provided by an act of Congress.

Finally, the bill is precise in preserving existing uses. The bill is careful about reasonableness. The most important existing uses—mining and grazing rights—are preserved. Wilderness areas are protected against the acquisition of further rights.

Mr. Chairman, the bill should be passed.

Mr. VAN DEERLIN. Mr. Chairman, I rise in support of the San Gorgonio amendment. The San Gorgonio Wild Area is one of the last remaining wilderness areas still available to southern Californians. It comprises 34,718 acres, 70 miles of trails, 22 primitive campsites, and a considerable colony of wildlife. It is a haven for thousands of campers, hikers, sportsmen, and naturalists. Last year more than 53,000 visits were paid to

the area, an intensity of use about 20 times greater than the national average. Nearly one-half of these visitors were children.

The idea of exempting 3,500 acres of this area from the full protection of the bill currently under debate is abhorrent on both esthetic and practical grounds. The Forest Service already has rejected a ski development proposal and has recommended alternative sites. Moreover, it is not just a question of withholding safeguards from a small and apparently insignificant portion of the San Gorgonio wilderness. Although the acreage immediately affected represents 10 percent of the wild area it is located at its center. A ski development there, or almost any commercial development, will alter the natural beauty and appeal of a vast portion of the surrounding territory.

It has been argued that San Gorgonio would provide skiers with a longer season and better facilities than those afforded by existing slopes. This does not appear to be entirely the case, however. During the 1961–62 ski season, adequate snow covering for skiing on San Gorgonio would not have been available until after January, following the first big major snowfall. During the very dry 1962–63 season, only about 2 months of marginal skiing would have been possible, and this only on certain parts of the slope. The following year, skiing would have been impossible until February. The point to be made here is that, in spite of San Gorgonio's altitude, skiing there will not be especially attractive unless general heavy storms strike the whole southern California area. But when such storms hit the whole area skiing will be good at presently establish ski resorts. Moreover, recent developments in snowmaking machines enable such resorts to create good snow whenever the temperature falls below 28°. During the 1963–64 season, five local resorts made snow for 4 months. These machines offer the possibility of an early season, thus embracing such popular skiing holidays as Thanksgiving and Christmas. Climatologic data collected thus far indicate that San Gorgonio would seldom have sufficient snow so early in the winter.

These facts, together with the deleterious and irreversible effects a ski development would have on the wilderness appeal of San Gorgonio, dictate that this amendment to the bill reported out by the committee be deleted.

Mr. HORTON. Mr. Chairman, passage of the measure now before us, H.R. 9070, to establish a National Wilderness Preservation System, can certify congressional concern for the sanctity of a small section of our natural heritage. I enthusiastically endorse this bill and urge my colleagues to support it, too.

When we recently gave overwhelming approval to the Land and Water Conservation Fund Act, the House evidenced its interest in providing adequate recreational opportunities for an expanding population that is putting greater emphasis on healthy outlets for leisure-time activity. Now, we can add to that action by protecting certain federally owned acreage from commercial corrosion.

Approval of the wilderness bill will recognize wilderness areas as resources in their own right, not merely the site where development can create resources. In a country so vast, with a citizenry so varied, I believe it is perfectly proper to declare a tiny portion of the national landscape forever wild.

As I have pointed out to the House on other occasions, I represent a constituency which is distinguished by its abiding friendship toward the cause of conservation. The communications I have received from my congressional district with respect to the wilderness bill amplify this attitude.

Mrs. David Cadwallader, of Brighton, N.Y., stated:

> If there is any bill which needs and deserves to be passed by Congress, it is this one [wilderness bill]. The United States is growing, developing, progressing; it is true that we need lumber, minerals, beef, etc. And to get these things man must exploit the land. But must he exploit all of it? Certainly the country is large enough so that some of our beautiful forest and mountain regions can be saved in their natural state to be shared by many in the years to come.
>
> There are many more of us each day who are finding the beauty and peace which untouched nature can instill in us. Not from driving along a superhighway, either, but by getting out and walking. It is a thrill to come upon a place where perhaps no man has ever been and certainly no motorized vehicle. I would hate to see places like these ruined by commercialization or in constant jeopardy of it. The wilderness bill is desperately needed to save our woodlands from just such a fate—to keep them for our future generations to enjoy.

From Palmyra, N.Y., Mrs. Christopher F. Smith wrote:

> More land is being used for personal gain, thereby robbing the future generations from enjoying the rightful heritage of their country.
>
> I have toured through our present national parks and monuments and enjoyed the beauty thereon. But the increase in numbers of visitors shows me how desperately we need more.

In urging me to vote for protection of these wilderness areas, some of my constituents have expressed explicit concern over the language in the bill that will permit continuation for 25 years of mining, prospecting, and oil and gas development. In this regard, I would like to quote an excerpt from a letter sent me by Don B. Martin, of Irondequoit, N.Y.:

> I certainly am not opposed to resource development but I seriously question whether this Nation must desecrate the existing wilderness areas for these purposes. I believe the value to the Nation of unspoiled wilderness will in the long run exceed whatever returns may be gained in the short run from mining in these areas.

Mrs. P. Richard Jameson, of Rochester, N.Y., also opposed the mining amendment. Her letter concludes with an eloquent statement of support for a meaningful wilderness bill:

> Many who bewail previous destruction of natural treasures and scenic wonders because of man's greed and stupidity, will rejoice if our present lawmakers can halt the onward march of vandalism.

Another constituent, Mrs. William A. Sykes, conservation chairman of the Seventh District Federated Garden Clubs of New York State, Inc., ended her letter to me on this legislation with two sentences which I believe summarize public appeal for this bill:

> We have an opportunity in passing this legislation to be blessed by future generations. It would really be shortsighted not to grab such an easy opportunity for future grace.

Our society has advanced by the thoughtful and sensitive actions of our ancestors. Maintaining this dynamism demands that we leave the land conserved for our descendants. The legislation under consideration offers us this opportunity.

Mr. McDOWELL. Mr. Chairman, I rise in support of H.R. 9070 to establish a national wilderness preservation system.

Delawareans, as reflected in their letters to my office, are generally favorable to the preservation of our natural resources particularly our ocean and bay shorelines and beaches. They have seen firsthand the disappearance of these natural resources under the impact of destructive storms such as the tidal storm which struck the Delaware coastline in March 1962.

Thousands of citizens from America's great metropolitan cities enjoy many of Delaware's seashore facilities. Rehoboth Beach is often called the Nation's "summer capital." For these people, it is their one opportunity to escape the monotony which oftentimes grips them in the confinement of manmade canyons of brick, stone, and concrete and asphalt streets and avenues.

The poet, Joyce Kilmer, said that only God can make a tree. However, it remains for man to preserve trees and the other natural gifts which He left in our care. Confronted with atomic bombs and nuclear missiles, poison gases, and other weapons created by man for mass destruction, Americans must focus their attention on the fundamental need for protecting and preserving our wilderness areas and natural resources which help us to ponder eternal truths, to instill wonder in the minds of our young people, and to reveal to them the mysteries and grandeur of our universe.

Mr. FOGARTY. Mr. Chairman, I have waited a long time for the chance to consider the wilderness bill. I think it is a good bill. I would like to see it passed as an even better bill. We ought not to stop short of getting out as strong a bill as we can, in order to really protect our wilderness heritage for this and coming generations.

I believe that we can strengthen this bill measurably by deleting the provision which gives authority to the Secretary of Agriculture to declassify a primitive area without going through the legislative process which this bill provides for the inclusion of primitive areas in the wilderness system. This exception is in direct contradiction to the provision in section 3(b), page 19, lines 24 and 25, and page 20, lines 1 to 3, which states that:

> Areas classified as "primitive" on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective

te of this Act until Congress has determined otherwise.

The provision which I would like to e eliminated follows the above as an ception and negates the protection rovided in the preceding sentences.

I call attention to the fact that while is version of the wilderness bill includes the wild, wilderness, and boundry waters canoe area in the wilderness stem on the effective day of the act, the isting San Gorgonio Wild Area, established many years ago, is specifically cluded at this time from the wilderess system.

Now, this is not only unreasonable— would be a dangerous precedent. We ould be saying that we are only giving pservice to the creation and protecon of these dedicated areas—that any me the pressures were strong enough e would back away and let the wilderess be dismembered.

The areas which are now classified as ild or wilderness were established after ue study and public hearings. Once stablished, nothing should alter their tatus except a national emergency.

I believe that the guidance which this ill gives for the administration of the ational forest wild and wilderness reas, should be stated in this bill with egard to the primitive areas, and the nits of the national parks, and wildlife efuges and ranges, which will eventually e included in the wilderness system.

I am especially concerned with the ommittee amendment which allows exension of mining in wild and wilderess areas for 25 years. Mining and rivate mineral exploration present a erious threat to wilderness. It seems o me that a provision that would perit the gathering of information through urveys by the Geological Survey and he Bureau of Mines, conducted in a anner compatible with the preservaion of the wilderness environment, hould be an adequate safeguard in the vent of future emergencies.

Mr. REUSS. Mr. Chairman, as a sponor of the wilderness bill, I should like to xpress my endorsement of H.R. 9070 and nake a few observations I believe are ertinent.

This is a good bill. I certainly hope it an be enacted into law this year.

I commend the gentleman from Colorado [Mr. ASPINALL] and the gentleman rom Pennsylvania [Mr. SAYLOR] for heir leadership in bringing it here.

H.R. 9070 is landmark legislation. It or the first time gives congressional ecognition to the principle that wilderess values should be cherished and prtected for succeeding generations. It sets aside the national forest areas presently classified as "wilderness," "wind," and "canoe." It establishes a machinery by which other suitable areas of forests, parks, and wildlife refuges can be reviewed and presented to the Congress for approval for preservation as wilderness. It protects these areas during the period of review and until the Congress acts.

I am confident that the Departments of Agriculture and the Interior will move speedily to review the potential areas of wilderness under their jurisdiction, developing recommendations which the Congress can consider.

In all honesty, I must point out that I am not in accord with the mining provisions as reported by the Committee on Interior and Insular Affairs. To me, the wilderness bill provides for multiple use. Areas of wilderness perform important functions in water production, watershed preservation, and education in addition to offering many types of recreation, including hunting and fishing. Mining, however, is one use which simply cannot be compatible with the concept of wilderness as outlined in the bill. This is true even though the committee has taken steps to minimize part of the damage which mining activities would cause.

Of course, the gathering of information about mineral resources on areas of wilderness should be permitted if carried on in a manner compatible with wilderness preservation. I would favor studies by the appropriate Federal agencies, as provided in section 4(d)(2).

In my opinion, the bill can be strengthened immeasurably by the removal of the so-called San Gorgonio exception. Making such an exception at the outset tarnishes a piece of outstanding basic legislation. The Forest Service has studied the proposed ski development, which would include roads, a parking area, and other facilities in a wild area. The proposed development was rejected, with alternate skiing development sites recommended. It is my hope that the Secretary of Agriculture soon will concur with the Forest Service recommendation. I think we will regret it if we override the Department on this proposition.

Finally, I believe it is inconsistent for the Secretary of Agriculture to be given the authority to declassify national forest primitive areas. Throughout the history of this legislation the point has been made that the Congress should assume the responsibility for passing on areas to be classified as wilderness. It is not consistent, therefore, for the Secretary of Agriculture to be authorized to declassify primitive areas. If the Congress should act in one instance it should act on the other.

But overall, the committee has done a fine job. It is to be commended for bringing so many diverse ideas together into one bill which is acceptable to so many people. I urge it be enacted.

Mr. REID of New York. Mr. Chairman, I rise in strong support of H.R. 9070, the wilderness bill.

Last week the House passed the Land and Water Conservation Fund Act which would provide the means to enable the States and various of the Federal agencies to meet the needs of the American people for outdoor recreation now and in the future. In large part this bill is consistent with the long-range program urged by the Outdoor Recreation Resources Review Commission which was chaired by Laurance S. Rockefeller. I supported the passage of this vital legislation, and it is my hope that it will stimulate the various States to plan thoughtfully their recreational systems, to acquire land, and to provide facilities for the ever-increasing needs of our expanding population.

Today, Mr. Chairman, we are considering an equally important piece of legislation which also is the outgrowth of the Rockefeller Commission's work—a bill to establish a National Wilderness Preservation System.

Specifically, the bill provides for the inclusion of about 9 million acres of land classified as "wilderness, wild, or canoe" in the system. Within 10 years after enactment, the Congress would have the option of including, upon the recommendation of the Secretaries of Agriculture and Interior and the President, additional areas for designation as wilderness.

In my judgment, Mr. Chairman, we must preserve our wilderness and wildlife areas for generations yet to come. I also speak for my constituents who overwhelmingly support legislation of this type. In response to a questionnaire sent to all registered voters in New York's 26th Congressional District last year, over 80 percent indicated they favored a wilderness bill to preserve our wildlife and natural resources.

Mr. Chairman, I hope this bill will be overwhelmingly supported.

Mr. DUNCAN. Mr. Chairman, someone once said that politics is the process of solving problems. This bill which we pass here, this afternoon, does just that. It solves problems of today and of countless tomorrows by setting aside a portion of our land from the competition of economics for the quiet enjoyment that all but a few of us want even now, and which will be even more needed as our population increases and the available land shrinks. The passage of this bill will rank with the creation of Yellowstone Park in the history of conservation and will stand as a tribute to the "problem solving" abilities of the chairman of the Interior Committee and the ranking minority member of that committee.

I am especially pleased that the so-called San Gorgonia amendment added by the Interior Committee was deleted here today. Such a special use provision does not belong in a wilderness bill. I supported such action both in the legislative committee and on the floor and offered my substitute amendment only as a compromise in apprehension that the amendment of the Interior Committee might be upheld.

Time will prove the wisdom of our action.

Mr. OSMERS. Mr. Chairman, at long last Congress is recognizing that our Nation must safeguard a substantial undeveloped and unspoiled portion of our country for our people to use for recreation and enjoyment. We in New Jersey have certainly seen what happens when urban and suburban areas expand without adequate protection of the public interest and thorough planning for the future. This wilderness bill is basically an insurance program to prevent the inadvertent and improper development of lands owned by the Federal Government that should be made available for the use and enjoyment of the public.

Each year as our metropolitan areas expand, we see much greater use of local, State, and Federal parks and recreation areas. As the population continues to

grow by leaps and bounds it is of the utmost importance that our wilderness areas be preserved. They serve as a refuge from the fast-paced life of our modern, mechanized, and urban world. Who does not find solace in the silence of pristine woods, or draw strength from the majestic mountains of our country, or find the ripple of our streams and lakes relaxing? Even those who thrive in the great metropolitan areas of our country long to escape the pavement of the city, the snarls of traffic and the smokestack skyline. Areas of natural beauty are a mecca for all of us who want a brief escape from the pressures of the modern world.

It is vitally important that we preserve the recreational resources of our land. All Americans should have an opportunity to enjoy the wonders of nature that are still a part of our great land.

Mr. GUBSER. Mr. Chairman, I wish to express my strong support of the wilderness bill. I have favored this type of legislation for many years in the belief that we must save priceless bits of nature, as created by God, for future generations to enjoy.

On May 17, 1962, I wrote of the wilderness bill in my weekly news and feature column. Though this was written some time ago, it still expresses my present views. In that column I said:

I shall always feel sorry for the kid who never lived in the country. The city boy can get to the ball game when he has the money, he can play in a fancy asphalt-covered playground, and go to a movie anytime. But these don't match the thrill of watching life emerge on exactly the 21st day after the hen starts to "set," or enduring the sting of nettles to get at fresh wild blackberries, ripping one's pants on the barbed wire fence, and learning to tell mushrooms from toadstools. City surroundings are built by mere men and will be replaced by what bigger men will some day build. But the world which surrounds the country boy is made only by God. In it there is more to encourage selflessness and less to prevent the peace of mind which is necessary when problems get bigger than humans.

Nature is almost a spiritual thing to many of us. We have no desire to inflict our spiritual beliefs upon others who prefer concrete pavement and city parks to the wide open spaces. But we do feel that we are entitled to the preservation of some natural wilderness before the rest of society ruins it for all time. We feel that future generations also have the right to see some of what God created as he created it without highways and beer cans, road signs, gas stations, junkyards, and taverns. This is the reason we are strongly supporting S. 174, the "wilderness bill," which has passed the Senate and is now under heavy attack in the House by commercial interests.

What we are asking is that a very small fraction of today's primitive and wilderness area be kept that way. We are not asking that future development of the great majority of public lands be stopped nor are we asking that all mining and lumbering be prohibited. We sincerely feel that we have a right to this unspoiled little bit of what God gave to all of us.

Mr. Chairman, this is a great day for those of us who strongly believe in conservation. I know this bill will be overwhelmingly approved.

Mr. DADDARIO. Mr. Chairman, passage today of H.R. 9070, to establish a National Wilderness Preservation System, can be a momentous step in the history of conservation. It embodies a program which is of serious concern to the people of Connecticut as it is to the rest of the country. We are seeking to conserve beauty, natural beauty, the original beauty of the land in which our forefathers settled and built this great Nation.

Frederick Law Olmsted, when he first reported on the Yosemite grant lands in 1865, warned about the harm that could be done to natural scenery by the masses of human visitors who visit our park lands. This Hartford native, perhaps the most distinguished landscape architect of our early history, sought to preserve the natural beauties of our land and to embellish the great gifts which nature sought to afford us all.

The increasing population of the land, the need and insistent demand for the resources with which our country has been blessed, have placed a premium on unspoiled land. That is the purpose of this bill, to preserve something of the wilderness, the natural environment of nature, which remains within our boundaries. The rapid expansion of civilization, the growth of urban centers, the increase of such areas as New England and Connecticut have created a special awareness of the need to take steps before it is too late to maintain the beauties of the wild and of nature.

Residents in our State's highly urbanized area have written to me in support of this measure. They have urged that the recreational and scenic values be protected. Through their travels, they have visited these areas and they hope to have their children, in their time, find it possible to visit them as well.

The experiences of a former U.S. attorney for Connecticut, a widely respected member of the legal profession, Robert P. Butler of Hartford, are relevant to this plea for support of this bill. Mr. Butler, with whom I have exchanged views on the measure, is intensely sincere in his belief that it must and should be enacted into law. Now in his eighties, Mr. Butler has been traveling throughout the American West and Northwest during summers since 1928, and has come to feel a close attachment to the land and its beauty, an attachment reflected in his warm, personal communications about the fundamental values they represent.

Passage of the wilderness bill will insure that the land which has provided invaluable pleasure to those who first discovered the beauties of the untouched and unspoiled land we are discussing today can be preserved. In time, the same pleasures which our generation and past generations have felt in venturing into these areas can be available to future generations, so that our children may know the same thrills of seeing nature in its untouched state.

The need for this measure has been expressed many times and in eloquent ways. It has been a long time reaching this point of legislation today, and I want to congratulate the members of the committee which has had to consider the conflicting claims and issues of priorities which were argued before it. I believe this bill, while it may not represent all that some had hoped, will meet the needs that I have expressed.

It can be a source of special pride to Members of a Congress privileged to take steps to preserve and treasure the beauties and the values of this Nation. I fully support H.R. 9070 and urge its passage.

Mr. ANDERSON. Mr. Chairman, I am immensely impressed with the urgent need for such legislation as the wilderness bill and the objectives that it seeks to attain. Personally, I am fully convinced that in view of the population explosion in our Nation, that steps must be taken now to preserve and set aside existing areas of natural beauty to meet the needs of not only our own generation, but future generations yet unborn.

Surely, we cannot continue to let our vast wilderness areas be rapidly ravaged by the advances of civilization. How much poorer civilization will be if we do not provide and protect specific examples of unmodified islands of nature for the use and fulfillment of man's recreational needs.

Indeed, we are at a point in conservation history which can be likened to the memorable milestone which resulted in the first of the national parks whose beauty and splendor have become wonderful to behold for millions of American who continue to journey great distances and in greater numbers to drink in the beauty of nature and enjoy these breathtaking vistas.

Mr. Chairman, we are all aware that nothing is so awe inspiring as these gifts of nature, which are so fulfilling and refreshing to those who are fortunate to observe them. This great splendor and these strangely beautiful vistas deserve the protection of Congress. The wilderness preservation program to me would be indicative of the fulfillment of the responsibility of Congress under the U.S. Constitution to exercise jurisdiction over the public lands.

Mr. Chairman, it is gratifying to witness the culmination of the long effort to gain passage of an effective wilderness bill. This represents a great stride in the development of a policy and program for the protection of our wild lands in the national forests, wildlife refuges and ranges, and in the national parks and monuments.

I want to compliment the committee, its chairman, the gentleman from Colorado [Mr. ASPINALL], and the ranking minority member, the gentleman from Pennsylvania [Mr. SAYLOR] for the careful and painstaking work that they have done in bringing this bill to the floor. Their achievement will be recognized as one of the major contributions to our public land laws in the century.

I also wish to support the amendments to the bill offered by the gentleman from Pennsylvania [Mr. SAYLOR] to strengthen its wilderness protection features. These include the deletion from the bill of the language that would authorize commercial skiing development in the San Gorgonio wild area of California. This provision, which would open this unit of wilderness to commercial exploitation,

ould set a dangerous precedent in this sic legislation.

The amendment that would remove e Secretary of Agriculture's authority declassify national forest primitive eas is equally important. This declasification authority is wholly inconsistent th the section of the bill that calls for e continuing protection of these units national forest wilderness until Conress has acted upon proposals relating them. I see no justification for the ongress to relinquish its prerogative by rmitting the Secretary to declassify e primitive areas and thus determine e fate of the wilderness which has been otected within these units over the cades.

I would add only that the provisions this measure which encourage widen mining in wilderness areas of the ational forest for 25 years are an unforinate and unnecessary concession to ining interests. I hope this defect will remedied before the bill is signed into w by the President.

In conclusion, Mr. Chairman, I want urge the passage of this bill with the rengthening amendments. It is my rm conviction that it is destined to ecome one of the greatest of our public nd laws.

Mr. SPRINGER. Mr. Chairman, durg the 64 years since the turn of the entury, much of the scenic wealth of he wilderness in the United States has een wiped out, but parts of it do remain. However, without protection, only a mall fraction of what does remain ould have a possibility of surviving for thers to know in future years. Through nactment of H.R. 9070, the National Wilderness Preservation System bill, pproximately 2 percent of the more han 2 billion acres of our national land rea will be preserved for posterity.

Wilderness is a valuable resource hich increases in value as it shrinks in ize both on maps and with respect to he number of people it must serve. his is so demonstrably true that wilderess legislation, which some thought ould lose its impact shortly after it was ntroduced, is more alive today than ver.

True wilderness is not a renewable reource. Once cut over or otherwise exloited, it is no longer an undisturbed atural area. Although quasi-wilderess areas for recreational use can be redeveloped over a century in onceexploited regions, the chain of natural orces responsible for the existence of oil, microscopic biological life, for plants and wildlife will have been interrupted and ended, and an entirely new ecological cycle—the result of man's nfluence—will have resulted.

Unless the existing areas of true wilderness are reserved now, the inuence of man is inevitably going to consume all hat we have. There will be roads and commercial operations, campsites, and facilities which will not only mar scenic beauty but destroy natural values found only in undisturbed areas.

Ultimately the U.S. Government is going to have to provide areas affording its citizens an opportunity to "get back to nature," and to escape the pressures of modern life.

We can do it now, without expense to the National Treasury and with little or no disturbance to established private rights and community economies, or we can wait and spend tens of millions of dollars later trying to recapture a few tracts to rebuild into secondhand, quasi-wilderness.

That, Mr. Chairman, is the purpose of the wilderness bill. It is simply an effort to achieve a highly desirable national objective—the preservation of significant wilderness tracts still owned by the U.S. Government—with as little adverse effect as possible on individuals, on private institutions, and on the economy of communities, regions, and the Nation.

Vigorous opposition to the wilderness bill has come from groups with a real and legitimate concern over the restriction of the use of portions of federally owned lands. The opponents have said that the commodity resource value on all unexploited lands are greater than the wilderness values, and make wilderness preservation a luxury the Nation cannot afford. But the measure before us today does not envisage the dedication of all unexploited lands. Commercial timberlands in dedicated wilderness areas comprise just a small percentage of the total acreage, and are small indeed when compared with the vast acreage outside wilderness which, once cut, still needs to be restocked. There exists no need for known or unknown mineral values in dedicated wilderness and, if present, such minerals should be our bequest to the future in case of dire need.

Opponents also say that wilderness legislation will "lock up" needed commodity resources forever. This, I believe, simply is not true. No law, no matter how strong, can withstand the pressures of a real need. By passing this badly-needed wilderness legislation at this time, both wilderness and other resources can be delivered to the future in one package. Then, if our technology fails to give us new materials which will be needed in the future, the entire wilderness concept can be reviewed in the light of the needs then existing.

Mr. Chairman, I urge passage of H.R. 9070.

Mr. CLEVELAND. Mr. Chairman, the cause of conservation must be zealously defended by Congress. Passage of the House wilderness bill is an historic act for conservation which I heartily endorse and fully support. This action is particularly meaningful to me as an individual who has been interested in and worked for conservation for many years. The wilderness bill along with the Land and Water Conservation Fund Act which we passed recently offer hopeful promise that the United States will always possess adequate parklands in the years ahead and that free open spaces of mountains, valleys, forests, lakes, and streams will endure for generations yet unborn. I am gratified to see this progress made in preparing the United States for its future needs for recreation and conservation space. I commend the Interior and Insular Affairs Committee for their patient and careful deliberations. Their diligence and study is in happy contrast to the politically motivated rush that has unfortunately characterized some committees' work as they grind out hastily conceived proposals now being manhandled through legislative channels.

The wilderness bill will insure the preservation of more than 9 million acres of land in a wilderness state as our forefathers found it and makes provisions for the potential inclusion of additional acres of primitive, wildlife refuge, and national park areas within the next 10 years. In passing this legislation we meet a solemn obligation to future generations to see that areas of our country shall be permanently protected from commercial development so that future generations may have the opportunity of studying and enjoying the unspoiled beauty and splendor of our country's majestic land resources.

SPIRITUAL VALUE

The wilderness bill guarantees that these lands will be kept in their original untouched natural state. No future administrator will be able arbitrarily to remove the wilderness classification of these areas. Unless this vital legislation is enacted now, we are in danger of losing a priceless resource that can never be regained.

Setting aside a portion of our land as wilderness area means that despite our rapidly growing population and burgeoning commercial development, there will always be places in our country where wilderness beauty is unmarred and unscarred by civilization, where individuals may explore the wilds, and where biologists and naturalists may come to study wild plant and animal life in their untouched natural state. Above all there is a spiritual value to a wilderness area that in this materialistic age should not be overlooked. It is important that we preserve places where one can truly "lift up mine eyes unto the hills from whence cometh my help."

IMPROVEMENT OVER SENATE BILL

The bill is not perfect but legislation seldom is. The provision on 25-year mining is disturbing to many but should be accepted in the spirit of reasonable compromise. The feature included in the bill requiring congressional approval before new lands are added or removed from the system is a definite and meaningful improvement over the Senate-passed version. Instead of decisions on additions or deletions of land being made by administrative order, Congress, the voice of the people, is rightly given final say in H.R. 9070. This action by the House vindicates those in the Senate who objected there to passage of S. 4. I strongly opposed that bill and voiced my objections strenuously. Thanks to the carefully considered deliberations and improvements by the House Committee on Interior and Insular Affairs, I can now gladly support this bill.

NEW HAMPSHIRE HAS WILDERNESS AREA

My State of New Hampshire has 5,400 acres to be included in the wilderness system—the only area in the northeast to be so included. This is a source of

pride to New Hampshire's citizens. The Great Gulf Wild Area in my district is bordered by the magnificant Presidential Range in the heart of the White Mountains, already preserved in the White Mountain National Forest. This includes Mount Washington, with an elevation of 6,288 feet, highest peak in northeast America. It is an area of unique grandeur to which visitors have repaired over the years, for spiritual refreshment and strength.

IN TRADITION OF THE WEEKS LAW

Let us hope this legislation can be worked out in conference and put into final form for the President's signature. This law is significant because it indicates our Nation's awareness that conservation must start today, not tomorrow. Teddy Roosevelt would be proud of us for passing this bill. It is in the tradition, especially meaningful in New Hampshire, of the Weeks' law which in 1911 established a new national policy for the purchase by the Federal Government of forest lands east of the Great Plains thus making possible the White Mountain National Forest. Weeks was a U.S. Congressman and Senator from Massachusetts but was born in New Hampshire where his family still lives. His son, Sinclair Weeks, a constituent of mine, served with great distinction as Secretary of Commerce under President Eisenhower. The conservation legislation which Weeks sponsored is today responsible for our possession in the eastern United States, including New Hampshire of invaluable national forests—forests that were threatened with destruction before Weeks saved them. The wilderness bill is another landmark in America's struggle to preserve and conserve its natural heritage.

Mr. SAYLOR. Mr. Chairman, I have no further requests for time.

Mr. ASPINALL. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

SEC. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

DEFINITION OF WILDERNESS

(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land and is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas, except the San Gorgonio Wild Area, within the national forests classified at least 60 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

(b) The Secretary of Agriculture shall, within ten years after the enactment of of this Act, review, as to its suitability or nonsuitability for preservation as wilderness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as "primitive" within three years after the enactment of this Act, not less than two-thirds within seven years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as "wilderness" shall become effective only if so provided by an Act of Congress. Areas classified as "primitive" on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise; except that (1) the Secretary of Agriculture, with the approval of the President, may determine that any portion of such primitive areas may be declassified and administered as other unclassified national forest land and upon such determination shall cause the same to be done, but no such determination shall become effective with respect to any primitive area or any portion of a primitive area which exceeds five thousand acres until sixty calendar days (which sixty days, however, shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three calendar days to a day certain or an adjournment sine die) after the Secretary has notified the President of the Senate and the Speaker of the House of Representatives of his intention to declassify such primitive area or portion of a primitive area; (2) primitive areas, as constituted on the effective date of this Act, may be increased in size by the President at the time he submits his recommendations to the Congress provided no such area is increased by more than five thousand acres with not more than one thousand two hundred and eighty acres of such increase in any one compact unit; and (3) if it is proposed to increase any primitive area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit such increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value.

(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review roadless portions of parks, monuments, and other units of the national park system, and portions of wildlife refuges and game ranges under the jurisdiction of the Secretary of the Interior on the effective date of this Act and shall report to the President his recommendations. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to each such portion for which review has been completed, together with maps and definitions of boundaries. Each such recommendation calling for a change in status shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be construed to lessen the present statutory authority of the Secretary of the Interior with respect to the maintenance of roadless areas within units of the national park system.

(d)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the

resident with respect to the suitability of ny area for preservation as wilderness—

(A) give such public notice of the pro-osed action as they deem appropriate, in-luding publication in the Federal Register nd in a newspaper having general circula-ion in the area or areas in the vicinity of he affected land;

(B) hold a public hearing or hearings at a ocation or locations convenient to the area ffected. The hearings shall be announced hrough such means as the respective Secre-aries involved deem appropriate, including otices in the Federal Register and in news-apers of general circulation in the area: *rovided*, That if the lands involved are lo-ated in more than one State, at least one earing shall be held in each State in which portion of the land lies;

(C) at least thirty days before the date of hearing advise the Governor of each State nd the governing board of each county, or n Alaska the borough, in which the lands re located, and Federal departments and gencies concerned, and invite such officials nd Federal agencies to submit their views n the proposed action at the hearing or by o later than thirty days following the date f the hearing.

(2) Any views submitted to the appro-riate Secretary under the provisions of (1) f this subsection with respect to any area hall be included with any recommendations o the President and to Congress with re-pect to such area.

(3) There shall further be included, with ny recommendations to the President and o Congress with respect to the suitability of ny area for preservation as wilderness, a oncise statement identifying the specific alues in the particular area that warrant he preservation of the area as wilderness, ogether with an identification of any other ilderness areas being preserved because of he presence of similar values, indicating the creage of each such area and the total acre-ge of all areas preserved by reason of the resence of the same or similar values.

(e) Any modification or adjustment of oundaries of any wilderness area shall be ecommended by the appropriate Secretary fter public notice of such proposal and pub-c hearing or hearings as provided in sub-ection (d) of this section. The proposed odification or adjustment shall then be ecommended with map and description hereof to the President. The President hall advise the United States Senate and he House of Representatives of his recom-endations with respect to such modifica-on or adjustment and such recommenda-ons shall become effective only in the same anner as provided for in subsections (b) nd (c) of this section.

USE OF WILDERNESS AREAS

SEC. 4. (a) The purposes of this Act are ereby declared to be within and supplemen-al to the purposes for which national forests nd units of the national park and national ildlife refuge systems are established and dministered and—

(1) Nothing in this Act shall be deemed o be in interference with the purpose for hich national forests are established as set orth in the Act of June 4, 1897 (30 Stat. 11), nd the Multiple-Use Sustained-Yield Act of une 12, 1960 (74 Stat. 215).

(2) Nothing in this Act shall modify the estrictions and provisions of the Shipstead-olan Act (Public Law 539, Seventy-first ongress, July 10, 1930; 46 Stat. 1020), the hye-Blatnik Act (Public Law 733, Eightieth ongress, June 22, 1948; 62 Stat. 568), and he Humphrey-Thye-Blatnik-Anderson Act Public Law 607, Eighty-fourth Congress, une 22, 1956; 70 Stat. 326), as applying to he Superior National Forest or the regula-ons of the Secretary of Agriculture.

(3) Nothing in this Act shall modify the tatutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1989, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as "wilderness areas"; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: *Provided*, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1989, except for the valid claims existing on or before December 31, 1989. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1990, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

(5) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accord-

ce with the general purpose of maintaining, without unnecessary restrictions on ner uses, including that of timber, the imitive character of the area, particularly the vicinity of lakes, streams, and porges: *Provided*, That nothing in this Act all preclude the continuance within the ea of any already established use of motorats.

(6) Commercial services may be performed ithin the wilderness areas designated by is Act to the extent necessary for activities hich are proper for realizing the recreational other wilderness purposes of the areas.

(7) Nothing in this Act shall constitute n express or implied claim or denial on the art of the Federal Government as to exmption from State water laws.

(8) To the extent that it is not incompatible with wilderness preservation, the Secretary of Agriculture shall, in national orest wilderness areas designated by this Act, permit hunting and fishing: *Provided*, That nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in wilderness areas.

SEC. 5. The Secretary of Agriculture shall identify, set aside, and classify for public recreational use an area of approximately three thousand five hundred acres within the San Gorgonio Wild Area on the San Bernardino National Forest that he finds most suitable for the installation and development of facilities necessary for skiing utilization. The Secretary shall, within three years after the enactment of this Act, review the suitability of the other lands within the San Gorgonio Wild Area as constituted on the effective date of this Act, for preservation as wilderness, identify those portions that he believes should be classified as "wilderness", and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendation with respect to the designation as "wilderness" or other reclassification of lands presently within the San Gorgonio Wild Area, submitting therewith maps and a definition of boundaries. Pending review by the Secretary of Agriculture, the submission of recommendations by the President, and action by Congress on the President's recommendations, the Secretary of Agriculture may: (1) continue to manage lands not required for public skiing within the San Gorgonio Wild Area under regulations governing management of wild areas on the effective date of this Act; or (2) with the approval of the President, declassify any of the lands presently within the San Gorgonio Wild Area not suitable for management as "wilderness" and not required for skiing development and administer them as other unclassified national forest land.

STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

SEC. 6. (a) In any case where State-owned or privately owned land is completely surrounded by national forest lands within areas designated by this Act as wilderness, such State or private owner shall be given such rights as may be necessary to assure adequate access to such State-owned or privately owned land by such State or private owner and their successors in interest, or the State-owned land or privately owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of Agriculture: *Provided, however*, That the United States shall not transfer to a State or private owner any mineral interests unless the State or private owner relinquishes or causes to be relinquished to the United States the mineral interest in the surrounded land.

(b) In any case where valid mining claims, or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture is authorized to acquire privately owned land within the perimeter of any area designated by this Act as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress.

GIFTS, BEQUESTS, AND CONTRIBUTIONS

SEC. 7. (a) The Secretary of Agriculture may accept gifts or bequests of land within wilderness areas designated by this Act for presentation as wilderness. The Secretary of Agriculture may also accept gifts or bequests of land adjacent to wilderness areas designated by this Act for preservation as wilderness if he has given sixty days advance notice thereof to the President of the Senate and the Speaker of the House of Representatives. Land accepted by the Secretary of Agriculture under this section shall become part of the wilderness area involved. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

(b) The Secretary of Agriculture or the Secretary of the Interior is authorized to accept private contributions and gifts to be used to further the purposes of this Act.

ANNUAL REPORTS

SEC. 8. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the area in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

Mr. ASPINALL (interrupting the reading of the substitute committee amendment). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that it be printed in the RECORD in full.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AMENDMENTS OFFERED BY MR. SAYLOR

Mr. SAYLOR. Mr. Chairman, I offer two amendments. I ask that they be read en bloc because they apply to the same situation.

The Clerk read as follows:

Amendments offered by Mr. SAYLOR: Page 18, line 7, after "areas" strike out ", except the San Gorgonio Wild Area,".

Page 31, line 5, strike out the whole of section 5 and renumber the following sections accordingly.

Mr. SAYLOR. Mr. Chairman, when this bill was before our subcommittee and the full committee they adopted an amendment that I hope will be corrected in the House at this time. This amendment I have offered would eliminate the exception of the San Gorgonio area. The San Gorgonio area is not far removed from the metropolitan area of Los Angeles. It is, in the words of the Forest Service, one of the few real gems of wild area to be found anywhere in the world. It is an area that has more use by the people who live in the metropolitan area of Los Angeles than any other wild or wilderness or primitive area in the United States. There are more groups of schoolchildren, there are more groups of Girl and Boy Scouts, there are more groups of campers, there are more groups from YMCA's and YWCA's who go into this area than any other wilderness, wild, or canoe area in our system that we are discussing. There have been some people who claim that this area should be set aside not for the multiple use which my amendment would make possible, but that it should be set aside for a special use of a class of people known as skiers.

Now, the reason that I am opposing the setting aside of this area for skiers is as follows:

"The natural heritage of our Nation must be preserved in two senses" involving (1) protection of some areas in a manner "as nearly in their original state as possible" and (2) "opportunity for a wide variety of recreation uses that do not require the strict preservation of resources in their natural condition."

The second goal of the Commission was set forth as "the wise development of our recreation resources" pointing out that the larger number of our citizens require outdoor recreation serviced with "basic facilities—roads, picnic tables, sanitation."

"A third basic goal" according to the Commission report—"is accessibility—an opportunity for all Americans to know and enjoy the outdoors." This goal was identified as "one of the central problems of outdoor recreation over the next 40 years. To achieve accessibility, existing areas must be further developed, and in many instances new sites must be acquired" [pages 11–12, committee print No. 26].

In southern California, close to the teeming population of the Los Angeles megalopolis, there are 1,654,000 acres of national forest land (Cleveland N.F., Angeles N.F., San Bernardino N.F.). Of this, 90,000 acres (San Gorgonio wild area 33,400 acres, San Jacinto wild area 20,600 acres, Aqua Tibia primitive area 26,700 acres, Cucamonga wild area 9,000 acres) or but 5 percent of the total, is in wilderness, wild or primitive category. In terms of ORRRC's first finding above, only 5 percent of national forest acreage in southern California would be maintained in a manner "as nearly in their original state as possible" and 95 percent would continue to be available "for a wide variety of recreation uses that do not require the strict preservation of resources in their natural condition."

Thus, it cannot be argued logically that the continued protection of the San Gorgonio wild area ignores this basic finding of ORRRC, nor by the same token that it would frustrate the second basic finding of ORRRC that the "larger number of our citizens require outdoor recreation serviced with basic facilities. "Ninety-five percent of the National Forest property in the Los Angeles area will continue to be available for development of recreation facilities for mass use.

"Accessibility," as the third basic ORRRC finding cited, must be put in context with other ORRRC findings. In considering the whole outdoor recreation problem ORRRC found that wilderness offered the greatest imbalance between supply and demand, because, by the very nature of things and the manner in which our Nation developed, areas of remaining wilderness value today are generally located where the people are not. San Gorgonio Wild Area is one of

the very few located so as to serve adjacent centers of large population. Moreover, it is accessible by peripheral paved road and it is now heavily used by the public as wilderness. Thus the San Gorgonio Wild Area meets the ORRRC test of "accessibility" and provides opportunity for the people of southern California to know and enjoy the outdoors in its nearly original state.

It seems clear, consequently that the issue is not between the opportunity for wilderness recreation and the opportunity for a "wide variety of recreation uses;" rather, it lies between the continuing opportunity for wilderness recreation, in a population density region where it is in critically short supply, and one highly specialized use—a commercially developed ski resort.

Throughout the ORRRC report is found a central theme or core which can be translated as a fervent plea for comprehensive planning, balanced planning, a recognition of the essential, integral importance of all aspects of the outdoor recreation picture. The ORRRC report in total does not support the dissolution of the San Gorgonio Wild Area in favor of a single outdoor recreation use—commercial ski development—which is available now and can be made much more available outside the wild area. Rather it supports the retention of the San Gorgonio Wild Area.

"Once an area has been placed in class V (wild, wilderness, canoe) it should be managed so as to preserve the primitive condition and the isolation that qualified it for inclusion. There should be no development of public roads, permanent habitations, or recreation facilities of any sort" (Outdoor Recreation for America, p. 113). And—

"The purpose of legislation to designate outstanding areas in this class—as wilderness areas is to give the increased assurance of attaining this objective (to preserve primitive conditions) that action by the Congress will provide." (Outdoor Recreation for America, p. 132.)

Here again, the San Gorgonio Wild Area meets the stern test of the ORRRC report. It was first set aside in 1931. It was the subject of intense restudy in 1948. It was finally placed in the "wild" category in 1956, after repeated studies, during which the same issues we are debating now were fully debated and resolved by the determination that the highest value of the area for all the people will be achieved by its retention as wilderness.

The former Secretary of Agriculture and the present Secretary of Agriculture have directed the Forest Service to make a study of this area to determine its highest and best use; and both the former Secretary and the present Secretary of Agriculture have had reports submitted to them by the Forest Service that the highest and best use that this area could be put to is to continue it as a wild area. The wild area will be destroyed if it is allowed to become a ski area. I would hope that the Congress would do what the Secretaries of Agriculture and the Directors of the Forest Service have asked them to do and that is to keep this area a wild area.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. KYL. The gentleman is saying that a four-lane highway and a huge parking lot would be needed if this were to be used for skiing; is that correct?

Mr. SAYLOR. If this area is to be set aside for the type of skiing that is contemplated it will be necessary to have a four-lane highway into this area; not just for skiing but for the type of skiing and ski lifts and ski tows that would be put in there. The traffic problem there is such that you would need a four-lane highway then. It just so happens that you have not too far from this area two either eight-lane or six-lane highways that converge across the southern end of this district.

Mr. SHEPPARD. Six.

Mr. SAYLOR. Two six-lane highways. If you are going to have two six-lane highways leading into this area and you are going to have skiers who will use them to get out there, you are going to have to have a way to get into this area, to park and to get out of the area.

The CHAIRMAN. The time of the gentleman, Mr. SAYLOR, has expired.

Mr. SAYLOR. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. If you do not have a four-lane highway, two lanes in and two lanes out, you are going to have the greatest traffic jam there that they have ever had in southern California.

Some people have said that this area should be set aside for this purpose because it is such an excellent skiing area. I can tell you that the Forest Service has had surveys made showing that there is no snow in this area unless there is snow in every other high area in southern California. The snow comes in a pattern. It does one thing in this area, it stays a little longer in the spring.

Let me call the attention of the members of this committee to the fact that just a short time ago in the great country of Switzerland two or three of the world's finest skiers, together with a dozen others, lost their lives, not because they were inexperienced skiers but, coupled with climatic conditions in the spring of the year, their skiing caused a disturbance in the snowpack which resulted in an avalanche which cost them their lives.

Mr. KYL. Mr. Chairman, will the gentleman yield further?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. KYL. The reason I ask about all this traffic and the necessity for this highway and these parking lots is that this actually pleads the case of these people who want to make it an area for recreation, because there is such a tremendous need that they will need highways and parking lots for hundreds of thousands of people.

Mr. SAYLOR. But the important thing is that those who want to use this as a multiple-purpose area for camping and recreation have not found it necessary to build this kind of a highway.

They have been willing to put their packs on their backs and walk into this area.

This is the kind of area that should be preserved for all of the people and not for just a little special group.

Mr. Chairman, I hope that this amendment will be adopted.

Mr. ASPINALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be concluded at not later than 4:15 p.m. this afternoon.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Chairman and members of the Committee, this is one of the amendments to which I made reference when I began the debate on this legislation. This is a controversial matter. It was controversial in the committee and it is controversial here on the floor. The support for it I would say is about 50–50 as far as the people in the area are concerned.

Mr. Chairman, I will say to my colleagues that, as I said earlier, according to the Forest Service, there were 53,500 visitors in the San Gorgonio Wild Area during 1963, which represents much less people. In the testimony before the subcommittee the opponents of skiing development—and this is what the wilderness people told us—they estimated there would be about 61,000 skiers in southern California who would use the area, while the proponents told us that there will be in the neighborhood of 250,000 skiers within the proximity of this particular area who would use the area for ski purposes.

Now, what is involved here, of course, as my friend the gentleman from Pennsylvania [Mr. SAYLOR] has stated, is to set aside 3,500 acres of this medium-sized wild area of 33,898 acres and use it, not as my friend the gentleman from Pennsylvania would tell you as a single use, but rather as a multipurpose use also, because it will be used by the wilderness people in winter and it will, of course, be used by them in the summertime when the ski operations are not available.

Mr. Chairman, what the subcommittee did, rather than follow the position of the Forest Service and the Department of Agriculture, the subcommittee saw fit to follow the report of the Outdoor Recreation Resources Review Commission, an instrument, if you please, of the Congress of the United States.

The committee position is supported by the findings and conclusions of the Outdoor Recreation Resources Review Commission whose recommendations were based first on the premise that "the natural heritage of our Nation must be preserved in two senses," involving first, protection of some areas in a manner "as nearly in their original state as possible" and second, "opportunity for a wide variety of recreation uses that do not require the strict preservation of resources in their natural condition."

The second goal of the Commission was set forth as "the wise development of our recreation resources," pointing out that the larger number of our citizens require outdoor recreation serviced with "basic facilities—roads, picnic tables, sanitation."

"A third basic goal," according to the Commission report, which was submitted to the President January 31, 1962, "is

accessibility—an opportunity for all Americans to know and enjoy the outdoors."

May I say to the members of the committee when we had finished the debate on the bill in executive session and were marking it up one member asked the chairman this question:

How does a person without legs, a person who is aged and grown old in years, with heart trouble, use these areas?

One of the members from the minority side asked the chairman to yield and, after I yielded, he said:

The answer is he don't.

Mr. Chairman, the English might be a little incorrect, but the meaning is clear. Those people just do not use wilderness areas, because they cannot use them. I at one time used them while I was a young man but no longer may I use wilderness areas, unless I take some of my friends to the wilderness border and just step across and say, "You are in a wilderness now; breathe this good air."

The issue on this amendent is whether we will make the area accessible to the people. In order to make it accessible, I oppose the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, I offer a substitute which has four parts to it. I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

AMENDMENTS OFFERED BY MR. DUNCAN

The Clerk read as follows:

Amendments offered by Mr. DUNCAN: Page 31, beginning in line 5, strike out "shall identify" and all that follows down through "Secretary" in line 11.

Page 31, line 12, strike out "other".

Page 31, line 25, strike out "not required for public skiing".

Page 32, beginning in line 5, strike out "and not required for skiing development".

Mr. DUNCAN. Mr. Chairman, I think it is obvious from the discussion on the floor that the item that concerns us most and over which there was most disagreement in committee was this San Gorgonio ski area. There were some who thought it should be included in this bill, and there were some who thought it would be unwise to have it a special ski area in a bill that is devoted to establishing a wilderness; to engraft on the bill a section dealing with special purposes in this one area of San Gorgonio.

My substitute, in effect, would be a compromise between these two positions. I think it has a lot of merit because the net effect of it would be to remove the San Gorgonio area from the wilderness system. It would preserve that area as a wild area for a 3-year period of time. In effect we would be withdrawing the controversy over whether they should ski in San Gorgonio from the wilderness bill and postponing a congressional decision on it for 3 years. It is basically unwise, in a bill that is devoted to the establishment of a wilderness system, one over which the committees have struggled for many years, to engraft on it a special purpose of this sort.

My substitute, as far as the wilderness people are concerned, would preserve the status of San Gorgonio as a wild area just as it now is. It is protected for a 3-year period. So far as the ski devotees are concerned, they are in the same position they have been in. They will still have the opportunity to make their case. All we are doing is removing this highly controversial and indeed unwise San Gorgonio amendment to this wilderness system so as to leave it in status quo as a wild area pending a presidential recommendation and action by the Congress. It would give the Congress an opportunity to reexamine the question free from the controversy that has surrounded this wilderness bill. It would permit the ski people to come in and make a case that theirs is the highest and best use. This is what the entire committee wants. There was no agreement in committee as to what that highest and best use is. It seems to me there is lots of merit to removing this ski controversy from the wilderness bill so that we have a bill go through here which is clean and which is devoted to the creation of a wilderness system alone.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR], and against the substitute offered by the gentleman from Oregon.

It seems to me that the basic principle of this bill should govern our decision on this particular use. The basic principle of this approach—and is it the decision and will of this House?—that we are going to establish a wilderness system and put in that wilderness system all areas now classified as wild wilderness.

Now, why should we vary from that principle in the event that bill is passed? If you adopt the wording in the bill or if you adopt the substitute offered by the gentleman from Oregon you are making such a variation from the principle we are endeavoring to establish today. It seems to me we should establish the principle at this time and that we should consider all wilderness, wild, and canoe areas of the same nature.

The area that is involved in this particular amendment has been classified as a primitive or a wild area for some 30 years. There have been two petitions by ski groups that want to establish a ski lift that have been heard by the Forest Service and rejected by the Forest Service. Now that same group that wants a ski lift, because they have been rightfully refused by the Forest Service, on the ground that the highest and best use is to continue this as a wild area, now that they have been rejected they are trying to come in here and have us make an exception here on the floor. I do not think we should deviate from the present type of wilderness by granting a special permit for a ski lift under the circumstances. This is the most fundamental time that we should establish a set of principles. The only way we can establish a set or sets of principles and not vary from them is to adopt the Saylor amendment and reject the substitute.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, the San Gorgonio Wild Area is the only existing wild area which would be excluded, by this bill, from the National Wilderness Preservation System. It is patently an unwise, an unwarranted, and an unnecessary exclusion, and I rise in vigorous support of the amendment.

Mr. Chairman, the view that this unique area would best be utilized by a group of commercial developers to establish a ski resort has been emphatically denied by the U.S. Forest Service, by the San Bernardino Board of Supervisors, in whose district it would lie, and by numerous, broadly based citizen groups of the immediate, user area. It has been denied on the basis of several soundly reasoned conclusions.

First. The exclusion of San Gorgonio would establish a dangerous precedent. Many areas which are included in this proposed wilderness system today will, inevitably, be subjected to pressures by various segments of our rapidly expanding population. The exclusion of this area at this time could establish a practice which would result in the eventual commercial development and effective destruction of much of this system which the committee is encouraging, and which I am confident the majority of the House is supporting.

Second. This exclusion will lead to the destruction of San Gorgonio itself as a meaningful wilderness area. The developers, it is true, would have us believe that their ski resort would place a very small burden on the area; a burden which would not be incompatible with its preservation and use as wilderness.

But their assertion will be proven disastrously false if we allow this development to take place. For in the center of this previously unspoiled wilderness area, a ski lift and supporting facilities will be erected. Near one of the few lakes, in this previously unspoiled wilderness, a large parking lot will be constructed. And access roads will be developed which will further and permanently destroy the heart of an irreplaceable, unspoiled wilderness. This is certainly not consistent with the provisions of this act which has been so long sought, and so long desired, by so many.

Third, and the tragedy of this provision, is that there are other areas, in the same vicinity, to serve this otherwise desirable recreational requirement.

As a matter of fact, the U.S. Forest Service which is trained and experienced in the development of national forest lands for recreational purposes, has determined, over the period of 30 years, that it is in the public interest to preserve San Gorgonio in its present status as a wilderness area. It has determined that there are other areas, in the immediate vicinity, which could be utilized as well or better for skiing facilities, and which would triple present capacity.

Much has been made of the assertion by those who would develop this area commercially, that the demands of the people for mass recreation must be met and that this seemingly little used wild area must be put to more intensive use. But this assertion is based upon a false premise—the premise that there is not a great demand for wilderness recreation. For the fact is, according to the very conservative figures of the U.S. Forest Service, that more than 53,000 people utilized the San Gorgonio Wild Area last year alone. And every indication is that this use, and this demand, is growing by persons who want a true wilderness for the enjoyment and education of their children and themselves.

Mr. Chairman, this amendment would preserve a small, but vital, portion of one of our vanishing national assets—a resource of accessible wilderness. It is an asset which should be preserved, in consideration of the years and Americans to come, and I urge that the House include the San Gorgonio Wild Area in the national wilderness system.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BROWN].

Mr. BROWN of California. Mr. Chairman, I rise in support of the Saylor amendment. Despite my age and shape, I am myself a skier and have skied with much pleasure at many of the outstanding ski resorts in my State, including those in the Los Angeles area and those in northern California at Mammoth and Lake Tahoe. And I have observed that skiers are generally well-to-do. In fact, the statistics indicate that they, as a group, earn twice the average income. Thus they are able to spend a considerable amount of money in pursuit of their hobby and usually enjoy every opportunity to do so.

At the present time, the abundant resources of this beautiful area are being well used in the public interest to provide for those who cannot afford expensive vacations. Concerned civic and private organizations are bringing the underprivileged youth of the Los Angeles area out of the crowded city into the mountains of San Gorgonio to camp. For most of these youngsters, many of whom come from minority ethnic backgrounds, this experience at San Gorgonio is their first opportunity to see a virgin wilderness. The leaders of the YMCA and church groups that bring them there argue convincingly that their stay in the mountains is a valuable contribution to their healthy growth. I should like to see their good work continued. For the interest of my colleagues, I am including at the end of my comments a partial list of these service organizations and other youth groups that are using the resources of this area.

In addition to the activities of the many Scout groups who also use San Gorgonio, the outstanding program of the University Religious Conference of UCLA, with which I am quite familiar, is particularly worthy of mention. Young men and women from UCLA and Los Angeles City College volunteer their time to supervise the learning and play of hundreds of underprivileged children, 40 percent of whom are members of minority groups—many of Mexican heritage—who are brought to the Conference's Unicamp and College Camp at San Gorgonio. During special sessions and under the direction of trained doctors and nurses the conference brings blind and diabetic youngsters to camp for a memorable week. This is the kind of work which must be continued.

In spite of my very sincere desire to see an expansion of skiing areas in southern California, I think that it would not be in the public interest to take an action in this case which would deprive those who, in my opinion, have the greatest need, in order to provide for those who are much better able to satisfy their needs elsewhere. For this reason, I strongly urge my colleagues to join me in my support of the Saylor amendment, thereby permitting the continued use of San Gorgonio for the education and enrichment of the underprivileged children of Los Angeles.

PRIVATELY OWNED ORGANIZATION CAMPS IN THE BARTON FLATS AREA AS OF JUNE 1, 1960

Boy's Club of Pasadena, Camp Norris, 5 acres.

Boy Scouts of America, Arrowhead Council, Camp Arataba, 5.29 acres.

Boy Scouts of America, Orange Empire Council, Camp Ro-ki-li, 11.86 acres.

Boy Scouts of America, troop 91, Camp Fullerton, 5 acres.

Boy Scouts of America, Greyback Council, Camp Tulakes, 12.49 acres.

California District Pilgrim Young People, Camp Mile High Pines, 6.03 acres.

Compton Camp Fire Girls, Camp Li-Tanda, 6.03 acres.

Camp Fire Girls, Los Angeles Area Council, Camp Yalanie, 12.19 acres.

Camp Fire Girls, Mt. San Antonio Council, Camp Nawakwa, 7 acres.

Camp Fire Girls, San Gabriel Valley Area Council, Camp Wasawagon, 7.14 acres.

Girl Scout Council of Glendale, Camp River Glen, 7.14 acres.

Tautona Girl Scout Council, Camp Tau-Tona, 10 acres.

Camp Evangel, Inc., Camp Evangel, 5 acres.

Forest Home, Inc., Camp Forest Homes, 1.29 acres.

Jewish Centers Association, Camp JCA, 8 acres.

Pasadena Methodist Foundation, Camp Sky Meadows, 4.62 acres.

Santa Ana Job's Daughters Lodge, 4.59 acres.

Southern California-Arizona Church of the Brethren, Camp La Verne, 14.43 acres.

Southern California Association of Seventh-Day Adventists, Camp Cedar Falls, 11.8 acres.

University Religious Conference, Camp University, 11.31 acres.

University Religious Conference at Los Angeles City and State colleges, 11.32 acres.

Young Men's Christian Association of Redlands, Camp Edwards, 4.98 acres.

Young Men's Christian Association of Centinela Valley, Camp Conrad, 5 acres.

Young Men's Christian Association of Los Angeles, Camp Round Meadows, 28.79 acres.

Orange County YMCA Camp Committee, Camp Osceola, 14.75 acres.

Young Men's Christian Association of Whittier, Camp Arbolata, 14.90 acres.

Young Men's Christian Association, Alhambra district, Camp Ta-Ta-Po-Chon, 11.8 acres.

Los Angeles Playground Department, Camp Radford, 82 acres.

Universalist Church of America, Camp de Benneville Pines, 15.9 acres.

Camp Roosevelt, Inc., Camp Roosevelt, 30 acres.

Girl Scouts, De Anza Council, Camp Azalea Trails, 10.57 acres.

Camps for Hebrew Arts, Camp Hi, 25.92 acres.

MEMBERS OF THE BARTON FLATS CAMP ASSOCIATION

Boy Scouts of America: Arrowhead Area Council, Orange Empire Area Council, Greyback Council, Long Beach Area Council.

Girl Scouts: Glendale-Crescenta, San Bernardino Council.

Camp Fire Girls: Compton Council, Mt. San Antonio Council, San Gabriel Valley Council, Los Angeles Area Council.

YMCA: Whittier, Centinela Valley, Redlands, Orange County, Los Angeles, Alhambra district.

Church camps: Southern California Conference of Seventh-day Adventists, Camp Evangel, Azusa; Church of the Brethren, California district, Pilgrim Young People, First Methodist Church, Pasadena; University Religious Conference; Jewish Centers Association, Boy's Club of Pasadena.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Chairman, the committee which considered this legislation has seen fit to exclude the existing San Gorgonio Wild Area in California.

Mail I have received, articles I have read, comments during personal visits raise grave doubts as to whether this is in the interest of the general public. There appears to be relatively little public support for this in California and in other States for that matter.

We became a great nation because there were men of vision, men who dared to gamble in an unknown field of operation, but to place a ski development in the heart of a wild area appears to be carrying commercialization too far. Certainly this would defeat the whole purpose of establishing wilderness areas.

Precedents may be either good or bad. If we make this concession today, how could we in good conscience refuse a similar request from mercenary-minded individuals in any other area?

This is the first mass recreation versus wilderness conflict. If we yield here, many similar incidences will rise up to haunt us in the future. If we do not face up to this problem realistically we are establishing a policy favoring such losses in the future. Remember this: A ski resort is as damaging to a wilderness area as a mining operation.

On two occasions, ski developers applied to the U.S. Forest Service for a permit to enter the wild area. Permission was denied both times. An appeal from the latest decision of the Chief of the Forest Service against that ski development is presently on the desk of the Secretary of Agriculture. The Forest Service rejected both applications for a ski development because that agency believes continuance of that area in its wilderness condition and its present use by thousands of youngsters and their parents is far more in the long-term public interest than being invaded by mechanized skiing, lodges, and other facilities. I subscribe to the thinking of the Forest Service.

Interested persons can ski in the San Gorgonio Wild Area now, but they must

walk or ski in rather than ride. They must also climb the slopes rather than be transported on tows. Is not this the mark of a true outdoorsman?

I have information, Mr. Chairman, that there are presently a dozen or more established ski developments in southern California that provide all kinds of mechanized skiing for the "pantywaists" and "shrinking violets."

The inclusion of this area would accomplish nothing new in the way of skiing. It would do one thing, and this would be tragic—it would destroy a 34,000-acre wild area for all time. This country is not so rich that it can afford to destroy wilderness for mercenary reasons nor is it so poor that it cannot save the remaining wilderness areas we are fortunate to have today.

I am in complete support of the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of the Saylor amendment and in opposition to the Duncan amendment.

I have received a substantial amount of correspondence from my congressional district as well as from people from my area who have changed their residence to the southern part of California.

I want to reiterate some of the comments made by my colleagues, the gentlemen from California [Mr. BROWN and Mr. BALDWIN], relating to the fact that people in the educational field use the San Gorgonio area in many ways for educational purposes, on trips, hikes and outdoor classroom activities. Mr. Oden Hanson, a superintendent of one of the school districts has written a lengthy letter detailing the specific uses his students have for the San Gorgonio area in question.

I wish to add that I represent the area north of San Francisco, where the Point Reyes National Seashore now exists. I can testify specifically to the overwhelming demand of people living in major populated areas who need immediate access to park, recreation, and wilderness areas. It is certainly in our interest to encourage this principle, whenever possible. I believe Los Angeles fits into this same category.

Therefore, I ask support of the Saylor amendment.

I yield back the remainder of my time.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. CHARLES H. WILSON].

Mr. CHARLES H. WILSON. Mr. Chairman, the distinguished chairman of the California delegation, Hon. HARRY SHEPPARD, retires this year after 28 years of outstanding service to California and the Nation at large.

Congressman SHEPPARD is asking our support for the pending bill which is of direct concern to his own congressional district and without amendment. This will be the last request of this nature our colleague will make of us, and I am sure we will want to consider the matter carefully.

H.R. 9070—the wilderness bill—contains a provision that would exclude a small 3,500-acre section of San Gorgonio Mountain from regular wilderness coverage, and allow its development as a ski area. Congressman SHEPPARD supports this provision, and as the Representative from this region of California we can assume he is well acquainted with all pertinent facts.

However, a well-organized campaign has been launched against this proposed ski area. Letters similar in structure and content have poured into my office from nature lovers, hikers, and rock collectors opposed to the project, and I am sure many of my colleagues have received the same communications.

Only 10 percent of the San Gorgonio wilderness area will be set aside for development as a ski resort, and seemingly the organized nature lovers cannot fully enjoy themselves in the remaining 90 percent of the wild area.

Congressman SHEPPARD has spent a lifetime in this region and he says:

> The upper part of the San Gorgonio Wild Area is not being effectively used because the skiers and winter recreationists are being kept out. The hikers want to keep their monopoly of the entire San Gorgonio Wild Area by forbidding skiing use of the upper part which is presently unused, and unusable. San Gorgonio on its upper north facing slopes has the potential of another Sun Valley at a southerly latitude.

The Los Angeles Herald Examiner in a recent editorial said:

> The San Gorgonio mountain area is important to southern California winter sports enthusiasts and for those training as prospective skiing competitors in the Olympic games. This is because it is the only high area in the southland where snow for winter sports exists firmly packed and unmelted during most of the season * * *. As we stated in a previous editorial, we believe that places are for people. We believe the San Gorgonio proposal, which sets aside only one-tenth of this tremendous mountain area for winter sports and retains the other nine-tenths for those desiring to keep the area in its natural state, is a fair division of these places for people.

Mr. Chairman, I believe this newspaper statement strikes close to the heart of the matter at hand. Within a hundred-mile radius of San Gorgonio live only approximately 12 million people. Only a very small number of these people will ever enjoy the wild area as hikers or rock collectors . However, many thousands may well develop an interest in skiing and winter sports. Southern California is extremely sportsminded, and there is every reason to assume that winter sports will excite public attention—once reasonable facilities are available.

I believe the Congress should do everything possible to encourage large numbers of people to participate in healthy, outdoor activities. We can take a major step in this direction by approving the present wilderness bill with the San Gorgonio provision included and unamended.

I urge my colleagues to oppose the proposed amendment and fully support Congressman SHEPPARD'S position on this question, and pay a most distinguished Member a personal tribute.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, I rise in opposition to the substitute amendment and also the Saylor amendment. I support the bill as it was reported by the full committee.

In the bill consideration is asked of 3,500 acres in the San Gorgonio Wild Area, to be considered as a ski development. The bill asks the Secretary of Agriculture to make the necessary study. With that study the Forest Service would offer a prospectus, which would be necessary for a ski development in the area.

At the present time the San Gorgonio area is used for the most part by summer recreationists. They use only the lower portion of the San Gorgonio area. Most of the activities in the ski resort area would be above the 7,200-foot level and would be at a level where mostly there are rocky cliffs and rocky parking areas.

In developing the upper reaches of San Gorgonio, they would put in ski lifts for day use only. This is being asked for as a day use ski area. It is not like the ski areas which exist in my area where we have 24 of them operating now where they have resort facilities and overnight accommodations and the balance of the facilities necessary for that type of an operation.

The question was raised as to access roads. At the present time in each of the ski areas there is one access. That access is necessary in order to bring in approximately 3,000 or 4,000 skiers on a given day. It is operating very well, and certainly we have traffic controls. These traffic controls are placed wherever masses of people gather for skiing. In this particular area the parking area could be the same as was used in Squaw Valley for that matter. It is about 1,200 feet higher in elevation, and they have much colder temperatures there. When the Olympic games were held at Squaw Valley this question was raised of what we were going to do with the meadow where parking was to be placed. They parked the cars on packed snow and there was no deterioration in that meadow area whatsoever.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from Iowa [Mr. KYL].

Mr. KYL. One of the difficulties in writing legislation such as is before us today is the deep emotion which is felt, the deep emotion which destroys logic. I am interested in this single proposition solely because it represents and dramatizes the kind of a selection which is going to have to be made every single time we establish any kind of a preserve or recreation area from this point on. How do we best use the land which is available? Now, we get a lot of malarkey here which ought to be completely discounted by each Member of the House. We are going to take care of the lame and the halt by putting a pack on their back and taking them 9,000 feet up in the mountains. What kind of silliness is this? We are either going to use this area here as wilderness for those who are healthy enough and wealthy enough

and with time enough to spend some time in the wilderness, or we are going to use it for a mass recreation purpose, 2 hours away from 12 million people in southern California.

You have to make a decision as to which you think is the wiser choice. We are not talking about destroying all the wild and wilderness areas in California. We have 1,820,000 acres of this stuff out there. We are talking here about 3,500 acres. There are 1,820,000 acres, I repeat, there, and we are talking about 3,500 here. I do not care what area you would select. It would all be the most unique and the most desirable. There is no question about that, and you can discount that. If this is such an essential operation to the State of California where we are taking this tiny portion, then what happens to us poor folks in the other 36 States that have not one acre of wilderness?

I say again, Mr. Chairman, that the only question which we have before us here is one which must be satisfied on the basis of logical thought: How can we best use this particular area? Do we use it as a wilderness area or as a mass recreation area?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

The Chair recognizes the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman, the committee considered in this legislation 88 separate wilderness-type areas in more than a dozen States. The San Gorgonio area is the only one of those areas that we undertake to deal with specifically in the bill before us. The bill as now written says that the San Gorgonio area is going to remain a wild area but all we are going to do is cut the heart out of it and take 3,500 acres right in the middle and turn this into a commercial ski operation.

Now, all of the arguments on the side of those who want to pass this amendment—and the gentleman from Iowa [Mr. KYL] made some very brilliant arguments the other way—are arguments you have heard. We have argued this for months. I have listened to all of the testimony and read all that which I did not hear, and it is my solemn judgment that the Saylor amendment ought to be passed and that the Duncan substitute ought to be defeated. It is not a question of skiing or not skiing. They ski there now and they will continue to ski there after the Saylor amendment is adopted, and this is preserved as a wild area. The sole question is whether you are going to have a big commercial ski operation with broad highways and resort and parking areas and lifts and all that go with it. I think the thing that finally convinced me was a study made by the Forest Service in May of this year. They surveyed southern California and they agreed that they needed skiing. These 12 million people that the gentleman referred to are there and they should be helped. The question was: Should they ski in San Gorgonio or are there other places available? And they concluded by saying:

> The amount of public funds which would be required to make San Gorgonio accessible for ski development could equally well be spent on improving existing roads to Mineral King, Slate Mountain, or Horse Meadow and open up a greater public use capacity. These sites are available now for development under the Forest Service multiple-use policy. National controversy such as results from a wilderness-invasion proposal is not inherent in any of these alternate sites.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, we have here in a very excellent bill to preserve the wilderness a loophole being shot to protect certain interests which desire to use a precious wilderness area for a purpose altogether inconsistent with that fundamental use. This legislation as drawn without the Saylor amendment simply says that we are setting up a wilderness program in a lot of areas but that in one area we shall essentially declassify the wilderness area to set up an inconsistent use.

Beyond this I think there are certain vices. We are legislatively here overruling a twice-made determination by the Forest Service that wilderness was the predominant value and that winter sports development should be rejected. Perhaps the Congress in its wisdom could do this if there were no other ski resources, no other ski areas available. But the facts of the matter are that there are at least 12 other areas in the immediate vicinity which are already open, which are already developed, which are already being heavily used and which with appropriate development, as was pointed out by the gentleman from Arizona, could be made available to take care of larger numbers of people.

Just let me read one thing from the report which shows the evil of the language which would take away from the wilderness system this San Gorgonio area:

> It was maintained quite convincingly that the introduction of ski lifts, access roads to the ski lifts, and adjacent parking areas would be incompatible with the continued designation of the immediate surrounding area for wilderness preservation.

This is the report. It is the report of the committee itself which says it should not be done.

Let me conclude by saying one further thing. I have the highest regard for the distinguished gentleman from California, and I would very much like to do something for him, but I believe the price of this is too high.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. ASPINALL] to close the debate.

Mr. ASPINALL. Mr. Chairman, I think we have pretty well highlighted the issue that is involved in this debate: the question of whether or not we are going to permit other users who have just as much right to the use of the outdoors the same privileges as we permit a certain group that now uses the area. This will not spoil all the wilderness aspects of San Gorgonio. It is not quite as picturesque as the statement of my friend from Arizona would have you believe. This is not taking the heart out of the particular area. It is taking a part of the San Gorgonio area. The operation could be entirely separate and apart from a remaining wilderness area.

May I say also that this area, properly developed, would be a very fine facility for the use of some of these boys and girls, these young people, and especially people with not too good health, and the cripples, so that they, too, could enjoy some of God's great outdoors without too much trouble. Otherwise they are not going to get into this area. Regardless of what you say, surely the boys and girls of the Boy Scouts and Girl Scouts and Campfire Girls will still be able to get out there.

But, also, these other youth of the land have a right to expect the use of some of the outdoors close to their homes, and I see no reason why the decision made by the subcommittee and by the full committee should not be upheld by this body.

The CHAIRMAN. The time of the gentleman from Colorado has expired. All time has expired on the proposed amendments.

The question is on the substitute amendments offered by the gentleman from Oregon [Mr. DUNCAN] to the amendments offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The substitute amendments to the amendments were rejected.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The question was taken; and on a division (demanded by Mr. SAYLOR) there were—ayes 73, noes 39.

Mr. KYL. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendments were agreed to.

AMENDMENT OFFERED BY MR. SAYLOR

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. SAYLOR: On page 20, line 3, strike out the semicolon and the remainder of the subsection through page 21, line 7 and insert a period and the following:
>
> "Any such area may be increased in size by the President at the time he submits his recommendations to the Congress by not more than five thousand acres with no more than one thousand two hundred and eighty acres of such increase in any one compact unit; if it is proposed to increase the size of any such area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit the increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value."

Mr. SAYLOR. Mr. Chairman, the basic difference between the wilderness bill that we are now discussing and all other wilderness bills that have ever been introduced is whether or not Congress shall have complete control and jurisdiction over the establishment of such areas.

In the wisdom of the House Interior and Insular Affairs Committee we have adopted the philosophy that the Con-

gress of the United States, having been charged in the Constitution with jurisdiction over our public lands, must establish wilderness areas. That is the heart of this bill.

Congress by the passage of this bill will establish as wilderness all areas that are now classified as wilderness, wild, and canoe. The areas which are primitive and will hereafter be classified and covered into the system when they have been studied by the Secretary of Agriculture can only be done by a positive act of Congress. There is a provision in the bill which says that the Secretary of Agriculture can declassify any area. All my amendment does is to say that if the Secretary of Agriculture determines that it should be declassified he shall recommend that to the President and the President recommend it to the Congress, but it shall not become effective until Congress takes action, either declassifying or continuing it in the wilderness system.

If we are going to insist upon congressional approval, I suggest this amendment be adopted so that the Congress will have complete control of all of the land that has been classified as primitive by the Secretary of Agriculture. I hope that this amendment will be adopted because it will make it a better bill and make it consistent with the basic provisions of the legislation.

Mr. GOODLING. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Chairman, this amendment would deny an administrative agency, in this case the Department of Agriculture, the authority to declassify a primitive area. The language in the bill is inconsistent in that we ask the President to submit to Congress all existing primitive areas, national park and wildlife areas proposed from inclusion in the wilderness preservation system.

Under the bill as written, a recommendation to elevate an existing national forest primitive area to wilderness status would require an affirmative act of Congress. In section 3, b(1) Congress would authorize the Secretary of Agriculture to eliminate a primitive area and manage it. An affirmative act of Congress would not be required.

The Committee on Interior and Insular Affairs and other House committees stress the duties and responsibilities of the committees under the Constitution. The position in this case is that Congress should assert its duty and responsibility in matters concerning public lands.

I am in no position to say how much or how little administrative authority should be vested in a public land managing agency. It must be enabled to do a satisfactory job in the public interest. No agency should be required to come to Congress for decisions on details. I do want to point out the irregularity existing in this bill. On the one hand, Congress is telling the administrative agency that full wilderness protection cannot be conferred on an existing primitive area without its approval. On the other hand, Congress is giving the administrative agency authority to delete a primitive area if it desires.

This is an inconsistent position. If the Congress is to pass on America's wilderness that is to be preserved as such, it should also pass on areas proposed to be abandoned. The rules should be the same whether we seek to create or condemn wilderness area. Public interest in each case is identical.

Too many inconsistencies already exist in Government. Let us eliminate them whenever and wherever possible. Here we have an opportunity to do just that.

Mr. ASPINALL. Mr. Chairman, I rise in opposition to the pending amendment, and, pending that, Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto and on the bill itself conclude not later than 4:50.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Chairman, this is a basic provision of the bill which is now before the Committee. It is not quite as pictured by my friend from Pennsylvania [Mr. SAYLOR]. The reason that we have primitive areas at the present time and the reason those are not ready for inclusion in the wilderness area is because of the fact they have never been studied. They are a part of the forest system. They have been set aside by the Secretary of Agriculture under the theory they do have wilderness potentialities. There is no reason in the world why, once the Secretary of Agriculture has studied the primitive areas which remain, 5 million-plus acres which remain, and has made his determination and he is ready to have the matter come to the President of the United States, we should not permit the part that does not qualify as wilderness to return immediately to the status of other national forest land, and not be managed as primitive areas. This to me is limiting, rather than increasing the authority that the Congress would have in this matter.

The action of Congress is to determine the final restricted status and the final usage permitted in these areas. Once the area has been found by the administrative branch of the Government as not having a value sufficiently present to entitle it to the wilderness status, then in my opinion it should revert immediately.

We have made it abundantly clear in the legislation which we bring before the Committee that any Member of Congress who might be interested in one of these areas that is declassified would have at least 60 days to get to the Secretary of Agriculture to find out whether a study was made in accordance with the correct procedures; and if he finds everything to be in order, then of course the area should be returned to ordinary national forest multiple use status and not be allowed to remain in limbo as part of a primitive area when it has no wilderness value attached to it.

It seems to me that the Congress of the United States should know when its authority is present and when its authority should stop. It should also respect the authority and the administrative responsibility of the executive department having jurisdiction over a matter.

I feel that the subcommittee amendment protects the wilderness areas. I feel that the decision of the Congress when finally made on the recommendation as to whether or not a primitive area should be included in the wilderness system, after the recommendation of the Department and the President, is all that is necessary. It seems to me further that we can go just a step too far in trying to determine the procedures of an administrative branch of the Government.

I feel that the subcommittee amendment is in order, that it is a necessary part of the bill, that everybody is protected, and that the administration of the forest lands themselves will be furthered by the defeat of the Saylor amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The question was taken; and on a division (demanded by Mr. SAYLOR) there were—ayes 67, noes 38.

So the amendment was agreed to.

The CHAIRMAN. The question is on the committee substitute amendment, as amended.

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. GARY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9070) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, pursuant to House Resolution 804, reported the bill back to the House with amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. JOHNSON of California. Mr. Speaker, I demand a separate vote on the first Saylor amendment, the San Gorgonio amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 18, line 7, after "areas" strike out ", except the San Gorgonio Wild Area,".

On page 31, line 5, strike out the whole of section 5 and renumber the following sections accordingly.

The SPEAKER. The question is on the amendment.

Mr. JOHNSON of California. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. Seventeen Members have arisen, not a sufficient number.

The yeas and nays were refused.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the committee substitute amendment, as amended.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. SAYLOR. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 374, nays 1, not voting 56, as follows:

[Roll No. 197]

YEAS—374

Abbitt	Curtin	Harsha
Abele	Curtis	Harvey, Ind.
Abernethy	Daddario	Harvey, Mich.
Adair	Dague	Hawkins
Addabbo	Daniels	Healey
Albert	Davis, Ga.	Hechler
Anderson	Delaney	Henderson
Andrews, Ala.	Dent	Herlong
Andrews, N. Dak.	Denton	Hoeven
	Derwinski	Holifield
Ashbrook	Devine	Horan
Ashley	Diggs	Horton
Aspinall	Dingell	Hosmer
Auchincloss	Dole	Huddleston
Ayres	Donohue	Hutchinson
Baker	Dorn	Jarman
Baldwin	Dowdy	Jennings
Barry	Downing	Jensen
Bates	Dulski	Joelson
Battin	Duncan	Johansen
Becker	Dwyer	Johnson, Calif.
Beckworth	Edmondson	Johnson, Pa.
Beermann	Edwards	Johnson, Wis.
Belcher	Elliott	Jonas
Bell	Ellsworth	Jones, Ala.
Bennett, Fla.	Everett	Karsten
Berry	Fallon	Karth
Betts	Farbstein	Kastenmeier
Blatnik	Fascell	Keith
Boggs	Feighan	Kelly
Boland	Findley	Keogh
Bolton, Frances P.	Finnegan	Kilgore
	Fisher	King, Calif.
Bolton, Oliver P.	Flood	King, N.Y.
	Flynt	Kirwan
Bow	Fogarty	Kluczynski
Bray	Ford	Knox
Brock	Foreman	Kornegay
Bromwell	Forrester	Kunkel
Brooks	Fountain	Kyl
Broomfield	Fraser	Laird
Brotzman	Frelinghuysen	Langen
Brown, Calif.	Friedel	Latta
Brown, Ohio	Fulton, Pa.	Leggett
Broyhill, N.C.	Fulton, Tenn.	Lennon
Broyhill, Va.	Fuqua	Libonati
Bruce	Gallagher	Lindsay
Burke	Garmatz	Lipscomb
Burkhalter	Gary	Long, La.
Burleson	Gathings	Long, Md.
Burton, Calif.	Gialmo	McClory
Burton, Utah	Gibbons	McCulloch
Byrne, Pa.	Gilbert	McDade
Byrnes, Wis.	Gill	McDowell
Cahill	Glenn	McFall
Cameron	Gonzalez	McLoskey
Carey	Goodell	MacGregor
Casey	Goodling	Madden
Cederberg	Grabowski	Mahon
Celler	Grant	Mailliard
Chamberlain	Gray	Marsh
Chelf	Green, Oreg.	Martin, Calif.
Chenoweth	Green, Pa.	Martin, Nebr.
Clancy	Griffiths	Mathias
Clark	Gross	Matsunaga
Clausen, Don H.	Grover	Matthews
	Gubser	May
Clawson, Del	Gurney	Meader
Cleveland	Hagan, Ga.	Michel
Cohelan	Hagen, Calif.	Miller, Calif.
Collier	Haley	Miller, N.Y.
Colmer	Hall	Milliken
Conte	Halpern	Mills
Cooley	Hanna	Minish
Corbett	Hansen	Minshall
Corman	Harding	Monagan
Cramer	Hardy	Montoya
Cunningham	Harrison	Moore
Moorhead	Rivers, Alaska	Steed
Morgan	Rivers, S.C.	Stephens
Morris	Roberts, Ala.	Stinson
Morrison	Roberts, Tex.	Stratton
Morse	Robison	Stubblefield
Morton	Rodino	Sullivan
Mosher	Rogers, Colo.	Taft
Moss	Rogers, Fla.	Talcott
Multer	Rogers, Tex.	Taylor
Murphy, Ill.	Rooney, N.Y.	Teague, Calif.
Murphy, N.Y.	Rooney, Pa.	Thomas
Murray	Roosevelt	Thompson, N.J.
Natcher	Rosenthal	Thompson, Tex.
Nedzi	Rostenkowski	Thomson, Wis.
Nelsen	Roudebush	Tollefson
O'Brien, N.Y.	Roush	Trimble
O'Hara, Ill.	Roybal	Tuck
O'Hara, Mich.	Rumsfeld	Tuten
O'Konski	Ryan, N.Y.	Udall
Olsen, Mont.	St. George	Ullman
Olson, Minn.	St Germain	Utt
O'Neill	St. Onge	Van Deerlin
Osmers	Saylor	Vanik
Ostertag	Schadeberg	Waggonner
Patman	Schenck	Watson
Patten	Schneebeli	Watts
Pelly	Schweiker	Weaver
Pepper	Schwengel	Weltner
Perkins	Scott	Westland
Philbin	Secrest	Whalley
Pickle	Selden	Wharton
Pike	Senner	White
Pillion	Sheppard	Whitener
Pirnie	Short	Whitten
Poage	Shriver	Wickersham
Poff	Sibal	Widnall
Powell	Sickles	Williams
Price	Sikes	Wilson, Charles H.
Pucinski	Siler	
Purcell	Sisk	Wilson, Ind.
Quie	Skubitz	Winstead
Quillen	Smith, Calif.	Wright
Randall	Smith, Iowa	Wydler
Reid, Ill.	Smith, Va.	Wyman
Reid, N.Y.	Snyder	Young
Reuss	Springer	Younger
Rhodes, Ariz.	Staebler	Zablocki
Rhodes, Pa.	Stafford	
Rich	Staggers	

NAYS—1

Pool

NOT VOTING—56

Alger	Harris	Norblad
Arends	Hays	Passman
Ashmore	Hébert	Pilcher
Avery	Hoffman	Rains
Baring	Holland	Reifel
Barrett	Hull	Riehlman
Bass	Ichord	Ryan, Mich.
Bennett, Mich.	Jones, Mo.	Shipley
Bolling	Kee	Slack
Bonner	Kilburn	Teague, Tex.
Brademas	Landrum	Thompson, La.
Buckley	Lankford	Toll
Davis, Tenn.	Lesinski	Tupper
Dawson	Lloyd	Van Pelt
Derounian	McIntire	Vinson
Evins	McMillan	Wallhauser
Fino	Macdonald	Willis
Griffin	Martin, Mass.	Wilson, Bob
Halleck	Nix	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Reifel.
Mr. Hays with Mr. Halleck.
Mr. Evins with Mr. Arends.
Mr. Brademas with Mr. Norblad.
Mr. Willis with Mr. Riehlman.
Mr. Thompson of Louisiana with Mr. Tupper.
Mr. Slack with Mr. Derounian.
Mr. Dawson with Mr. Martin of Massachusetts.
Mr. Baring with Mr. Fino.
Mr. Toll with Mr. Bob Wilson.
Mr. Ryan of Michigan with Mr. Van Pelt.
Mr. Teague of Texas with Mr. Griffin.
Mr. Ashmore with Mr. Bennett of Michigan.
Mr. Bass with Mr. Alger.
Mr. Harris with Mr. Wallhauser.
Mr. Ichord with Mr. McIntire.
Mr. Macdonald with Mr. Kilburn.
Mr. Passman with Mr. Hoffman.
Mr. Rains with Mr. Avery.
Mr. Shipley with Mr. Holland.
Mr. Landrum with Mrs. Kee.
Mr. Bonner with Mr. Lesinski.
Mr. Davis of Tennessee with Mr. Lankford.
Mr. Nix with Mr. Buckley.
Mr. Barrett with Mr. Pilcher.
Mr. Hull with Mr. McMillan.

The result of the vote was announced as above recorded.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, a similar bill to the one just passed by the House.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. ASPINALL]?

There being no objection, the Clerk read the Senate bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED

Statement of policy

SEC. 2. (a) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States and its possessions except those that are designated for preservation and protection in their natural condition. It is accordingly declared to be the policy of the Congress of the United States to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas in the United States and its possessions to be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

Definition of wilderness

(b) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's works substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM

Extent of system

SEC. 3. (a) The National Wilderness Preservation System (hereafter referred to in this Act as the wilderness system) shall comprise (subject to existing private rights) such fed-

erally owned areas as are established as part of such system under the provisions of this Act.

National forest areas

(b)(1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, primitive, or canoe: *Provided,* That the areas classified as primitive shall be subject to review as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review, in accordance with paragraph C, section 251.20 of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the continued inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided,* That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be continued in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value: *Provided further,* That following such exclusions and additions any primitive area recommended to be continued in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the continued inclusion in the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided,* That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a part of the wilderness system and shall be administered as other national forest lands: *And provided further,* That, primitive areas with respect to which recommendations are submitted to Congress on the eighth, ninth, and tenth years of the review period herein provided shall retain their status as a part of the wilderness system until the expiration, in respect to each area, of a full session of Congress, two years for resubmission of revised recommendations to Congress by the President, and, if so resubmitted, until the expiration of a full session of Congress thereafter. Recommendations on all primitive areas not previously submitted to the Congress shall be made during the tenth year of the review period. Any primitive area, or portion thereof, on which a recommendation for continued inclusion in the wilderness system has not become effective within fourteen years following the enactment of this Act shall cease to be a part of the wilderness system and shall be administered as other national forest land.

(2) The purposes of this Act are hereby declared to be within and supplemental to but not in interference with the purposes for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple Use-Sustained Yield Act of June 12, 1960, Public Law 86-517 (74 Stat. 215).

National park system areas

(c)(1) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, each portion of each park, monument, or other unit in the national park system which on the effective date of this Act embraces a continuous area of five thousand acres or more without roads. Within ten years after the effective date of this Act the Secretary of the Interior shall review the units of the national park system and shall report his recommendations for the incorporation of each such portion into the wilderness system to the President. Before the convening of Congress each year, the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the incorporation into the wilderness system of each such portion for which review has been completed in the preceding year, together with maps and definitions of boundaries. The recommendation of the President with respect to each such portion shall become effective subject to the provisions of subsection (f) of this section.

(2) The Secretary of the Interior shall include, as part of his recommendations to the President under the provisions of this subsection, a description of the parts of each park, monument, or other unit submitted which should be reserved for roads, motor trails, buildings, accommodations for visitors, and administrative installations. Such parts shall be determined in accordance with the procedures for rulemaking under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), except that the public notice required under such section shall be at least ninety days prior to the determination proceedings. No designation of an area for roads, motor trails, buildings, accommodations for visitors, or administrative installations shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (39 Stat. 535; 16 U.S.C. 1 and following). The accommodations and installations in such designated areas shall be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural condition. Further, the inclusion of any area of any park, monument, or other unit of the national park system within the wilderness system pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such area in accordance with such Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 and following); section 3(2) of the Federal Power Act (16 U.S.C., sec. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C., sec. 461 and following).

National wildlife refuges and game ranges

(d) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, such portions of the wildlife refuges and game ranges established prior to the effective date of this Act under the jurisdiction of the Secretary of the Interior as he may recommend for such incorporation to the President within ten years following the effective date of this Act. Before the convening of Congress each year the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the incorporation into the wilderness system of each area recommended for such incorporation by the Secretary of the Interior during the preceding year, together with maps and definitions of boundaries. The recommendation of the President with respect to each area shall become effective subject to the provisions of subsection (f) of this section.

Modification of boundaries

(e) Any proposed minor modification or adjustment of boundaries of any portion of the wilderness system established in accordance with this Act shall be made by the appropriate Secretary after public notice of such proposal by publication in a newspaper having general circulation in the vicinity of such boundaries and public hearing to be held in such vicinity not less than ninety days after such notice if there is sufficient demand during such ninety days for such hearing. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective subject to the provisions of subsection (f) of this section.

Effective date of President's recommendations

(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment neither the Senate nor the House of Representatives shall have approved a resolution declaring itself opposed to such recommendation: *Provided,* That in the case of a recommendation covering two or more separate areas, such resolution of opposition may be limited to one or more of the areas covered, in which event the balance of the recommendation shall take effect as before provided: *Provided further,* That where a resolution of opposition to any such recommendation has been introduced, a hearing thereon shall be held within thirty days by the committee to which such resolution has been referred. Any such resolution shall be subject to the procedures provided under the provisions of sections 203 through 206 of the Reorganization Act of 1949 (5 U.S.C., secs. 133z-12—133z-15) for a resolution of either House of Congress: *And provided further,* That a motion to discharge the Committee shall not be in order until the time for the Committee to hold a hearing has elapsed.

Effect of public notice of proposed addition to wilderness system

(g) Public notice when given by either the Secretary of the Interior or the Secretary of Agriculture that any area is to be proposed under the provisions of this Act for incorporation as part of the wilderness system shall segregate such area from any or all appropriation under the public land laws to the extent deemed necessary by such Secretary. Such segregation shall terminate (1) upon rejection of such proposal by the President, (2) upon approval by the Senate or the House of Representatives of a resolution opposing the incorporation of such area in the wilderness system, or (3) five years after the date of such notice if the proposal to incorporate such area as part of the wilderness system has not been submitted to both Houses of Congress prior to the expiration of such five years.

Addition or elimination not provided for in this Act

(h) The addition of any area to, or the elimination of any area from, the wilderness system which is not specifically provided for under the provisions of this Act shall be made only after specific affirmative authorization by law for such addition or elimination.

Additional requirements with respect to recommendations

(i)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to substituting any recommendations to the President with respect to any area's retention

in or incorporation into the wilderness system—

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the county, or in Alaska the borough, governing board of each county, or in Alaska the borough, in which the lands are located, the United States Forest Service, the United States Soil Conservation Service, the Corps of Engineers of the United States Army, the Bureau of Reclamation, the Bureau of Mines, the United States Geological Survey, the Bureau of Sport Fisheries and Wildlife, the Federal Power Commission, the Rural Electrification Administration, and the Federal Communications Commission, inviting each to set forth its views at the hearing. It shall be the responsibility of each named Federal agency to submit its independent views concerning the designation of an area as "wilderness", giving an analysis of the comparative values that may be involved as between wilderness and that type of development or uses for which the Federal agency has administrative responsibility.

(2) Views submitted to the President under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to Congress with respect to such area.

State lands surrounded by wilderness system

(j) In any case where State-owned land is completely surrounded by land incorporated into the wilderness system, such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unappropriated, and unoccupied Federal land in the same State, equal in value to the surrounded land: *Provided*, That if the State does not reserve mineral rights in the surrounded land conveyed to the United States, the United States need not reserve mineral rights in the land conveyed to the State in exchange.

Acquisition of certain privately owned lands within the wilderness system

SEC. 4. The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire as part of the wilderness system any privately owned land within any portion of such system under his jurisdiction, subject to the approval of any necessary appropriations by the Congress: *Provided, however*, That nothing in this Act shall be construed to confer a right of condemnation with respect to privately owned land within the boundaries of a wilderness area, or to impair any customary right or privilege heretofore enjoyed by the owners of such land, respecting access to it or to its ordinary use and maintenance.

GIFTS OF BEQUESTS OF LAND

SEC. 5. The Secretary of Agriculture and the Secretary of the Interior may each accept gifts or bequests of land for preservation as wilderness, and such land shall on acceptance become part of the wilderness system. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

USE OF THE WILDERNESS

Other provisions of law

SEC. 6. (a) Nothing in this Act shall be interpreted as interfering with the purposes stated in the establishment of, or pertaining to, any park, monument, or other unit of the national park system, or any national forest, wildlife refuge, game range, or other area involved, except that any agency administering any area within the wilderness system shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character. Except as otherwise provided in this Act, the wilderness system shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historic use. Subject to the provisions of this Act, all such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

Prohibition of certain uses

(b) Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within the wilderness system, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such areas.

Special provisions

(c) The following special provisions are hereby made:

(1) Within the wilderness system the use of aircraft or motorboats where these practices have already become established shall be permitted to continue subject to such regulations as the appropriate Secretary finds necessary. In addition, such measures may be taken as are necessary in the control of fire, insects, and diseases, subject to such regulations as the appropriate Secretary finds necessary.

(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including but not limited to exploration for oil and gas), mining (including but not limited to the production of oil and gas), and the establishment and maintenance of reservoirs, water-conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (B) the grazing of livestock, where established prior to the effective date of this Act with respect to areas established as part of the wilderness system by this Act, or prior to the date of public notice thereof with respect to any area to be recommended for incorporation in the wilderness system, shall be permitted to continue subject to such regulations as are deemed necessary by the Secretary having jurisdiction over such area.

(3) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou roadless areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats. Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act, Public Law 539, Seventy-first Congress, July 10, 1930 (46 Stat. 1020), the Thye-Blatnik Act, Public Law 733, Eightieth Congress, June 22, 1948 (62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act, Public Law 607, Eighty-fourth Congress, June 22, 1956 (70 Stat. 326) as applying to the Superior National Forest or the regulations of the Secretary of Agriculture. Modifications of the Boundary Waters Canoe Area within the Superior National Forest shall be accomplished in the manner provided in section 3(e).

(4) Commercial services may be performed within the wilderness system to the extent necessary for activities which are proper for realizing the recreational or other purposes of the system as established in this Act.

(5) Any existing use or form of appropriation authorized or provided for in the Executive order or legislation establishing any national wildlife refuge or game range existing on the effective date of this Act may be continued under such authorization or provision.

(6) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(7) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

(8) Nothing in this Act shall be construed to prevent, within national forest and public domain areas included in the wilderness system, any activity, including prospecting, for the purpose of gathering information about mineral or water resources or to prevent the completely subsurface use of such areas, if such activity or subsurface use is carried on, in a manner which is not incompatible with the preservation of the wilderness environment.

RECORDS AND REPORTS

SEC. 7. The Secretary of the Interior and the Secretary of Agriculture shall each maintain available to the public, records of portions of the wilderness system under his jurisdiction, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding, pending additions, eliminations, or modifications. Within a year following the establishment of any area within the national forests as a part of the wilderness system, the Secretary of Agriculture shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal descriptions and maps may be made with the approval of such committees. Within a year following the establishment of any area in the national park system or in a wildlife refuge or range as a part of the wilderness system, the Secretary of the Interior shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives. Clerical and typographical errors in such legal descriptions and maps may be corrected with the approval of such committees. Copies of maps and

legal descriptions of all areas of the wilderness system within their respective jurisdictions shall be kept available for public inspection in the offices of regional foresters, national forest supervisors, forest rangers, offices of the units of the national park system, wildlife refuge, or range.

CONTRIBUTIONS AND GIFTS

SEC. 8. The Secretary of the Interior and the Secretary of Agriculture are each authorized to accept private contributions and gifts to be used to further the purposes of this Act. Any such contributions or gifts shall, for purposes of Federal income, estate, and gift taxes, be considered a contribution or gift to or for the use of the United States for an exclusively public purpose, and may be deducted as such under the provisions of the Internal Revenue Code of 1954, subject to all applicable limitations and restrictions contained therein.

Land use commissions

SEC. 9. With respect to any State having more than 90 per centum of its total land area owned by the Federal Government on January 1, 1961, there shall be established for each such State a Presidential Land Use Commission (hereinafter called the Commission). The Commission shall be composed of five persons appointed by the President, not more than three of whom shall be members of the same political party, and at least three of whom shall be residents of the State concerned. The Commission shall advise and consult with the Secretary of the Interior and the Secretary of Agriculture on the current utilization of federally owned land in such State and shall make recommendations to the appropriate Secretary as to how the federally owned land can best be utilized, developed, protected, and preserved. Any recommendations made to the President by the Secretary of Interior or the Secretary of Agriculture and any recommendations made to the Congress by the President pursuant to the provisions of this Act shall be accompanied by the recommendations and reports made with respect thereto by the Commission.

SEC. 10. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

SEC. 11. Nothing in this Act shall be construed as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act (16 U.S.C. 792–825r).

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause of S. 4 and insert the provisions of H.R. 9070.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed.

A similar House bill (H.R. 9070) was laid on the table.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, H.R. 9070.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

DEFENSE DEPARTMENT APPROPRIATION BILL, 1965

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight, Friday, July 31, to file a conference report on the bill H.R. 10939, the Defense Department appropriation bill for the fiscal year 1965.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

H.R 11904

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight tonight to file a report on the bill H.R. 11904.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, I take this time to inquire of the majority leader as to the program for the balance of this week and the program for next week.

Mr. ALBERT. Mr. Speaker, in reply to the gentleman's inquiry, we have completed the legislative program for this week and I shall ask unanimous consent to go over after announcing the program.

For next week the program is as follows:

Monday is Consent Calendar day, and there are 13 suspensions, as follows:

S. 3001, increasing the rate of basic pay for members of the uniformed services.

H.R. 4018, authorizing establishment of the Saint-Gaudens National Historic Site, N.H.

H.R. 1096, authorizing the Secretary of the Interior to cooperate with the State of Wisconsin in the designation and administration of the Ice Age National Scientific Reserve in the State of Wisconsin.

H.R. 931, to establish the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial, Pa.

H.R. 4010, providing an adequate basis for administration of the Lake Mead National Recreation Area, Ariz. and Nev.

H.R. 946, establishing the Fort Bowie National Historic Site, Ariz.

H.R. 439, establishing the John Muir National Historic Site, Calif.

H.R. 3071, establishing Fort Larned as a national historic site.

H.R. 3672, providing for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act.

H.R. 7662, to amend the Federal Employees Compensation Act to provide appeal rights to employees of the Canal Zone Government and the Panama Canal Company.

H.R. 11211, to amend section 3 of the Travel Expense Act of 1949.

H.R. 10446, to permit the use of statistical sampling procedures in the examination of vouchers.

S. 1991, to charter by act of Congress the National Tropical Botanical Gardens.

Tuesday is Private Calendar day.

Also on Tuesday we will consider H.R. 6793, the Securities Acts amendments of 1964. This will come up under an open rule, with 2 hours of general debate.

Also on Tuesday the Committee on Armed Services may call up under unanimous consent four House joint resolutions, as follows:

House Joint Resolution 113, to receive for instruction at the U.S. Military Academy two citizens and subjects of the Republic of Vietnam.

House Joint Resolution 1048, to receive for instruction at the U.S. Military Academy two citizens and subjects of the Kingdom of Thailand.

House Joint Resolution 1072, to receive for instruction at the U.S. Military Academy a citizen and subject of the Empire of Iran.

House Joint Resolution 1115, to receive for instruction at the U.S. Naval Academy two citizens and subjects of the Kingdom of Thailand.

Also on Tuesday, the chairman of the Committee on Ways and Means has advised he will call up under unanimous consent three bills, as follows:

H.R. 2855, manufactures' excise tax on sets or strings of electric light bulbs.

H.R. 5986, duty on brooms made of broom corn.

H.R. 8050, nonprofit nurses' professional registries.

For Wednesday and the balance of the week:

H.R. 11377, Economic Opportunity Act of 1964. This will come up under an open rule, with 6 hours of general debate. This is the so-called antipoverty bill. It is expected the vote on final passage will come on Friday.

Also on Friday there will be considered H.R. 1803, relating to the Ozark National Scenic Riverways, Mo. This will be considered under an open rule, with 1 hour of general debate.

This announcement, of course, is made subject to the general and usual reservation that conference reports may be brought up at any time, and that any further program will be announced later.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Missouri.